

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE TOWN OF FRANKFORT, ON MONDAY THE
SEVENTH DAY OF DECEMBER, IN THE YEAR OF OUR LORD 1829,
AND OF THE COMMONWEALTH THE THIRTY-EIGHTH.



FRANKFORT:

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

AT a General Assembly begun and held for the State of Kentucky, in the Town of Frankfort, on Monday the 7th day of December, in the year of our Lord, one thousand eight hundred and twenty nine, in the thirty-eighth year of the Commonwealth.

On which day, being that appointed by law for the meeting of the General Assembly, the following members of the House of Representatives appeared, to-wit: From the county of Adair, George C. Elliott; from the county of Allen, Jacob W. Walker; from the county of Anderson, Andrew McBrayer; from the county of Barren, James G. Hardy and John B. Preston; from the county of Bath, Samuel Wheeler; from the county of Boone, Gustavus Fisher; from the county of Bourbon, George W. Williams, Hubbard Taylor, Jun. and Jesse Kennedy; from the county of Bracken, Buckner S. Morris; from the counties of Breckenridge and Hancock, John Calhoun; from the county of Bullitt, Lewis Wilcoxen; from the counties of Butler and Edmonson, John Porter; from the county of Calloway, Lynn Boyd; from the county of Caldwell, James W. Rucker; from the county of Casey, William Ray; from the county of Christian, Charles S. Morehead; from the county of Clarke, Benjamin Harrison and Richard Hawes; from the county of Cumberland, Joel Owsley; from the counties of Clay and Perry, Elnathan W. Murphy; from the county of Daviess, William R. Griffith; from the county of Estill, Isaac Mize; from the county of Fayette, Edward J. Wilson, Leslie Combs and James True, Jun.; from the county of Fleming, William Cassidy and James H. Jones; from the county of Franklin, John J. Crittenden; from the counties of Floyd and Pike, James M. Rice; from the county of Grayson, Thomas M. Yates; from the county of Greenup, John C. Kouns; from the county of Garrard, Simeon H. Anderson and Tyree Harris; from the county of Green, William B. Allen and James Durham; from the county of Gallatin, Robert S. Dougherty; from the county of Grant, Abraham Jonas; from the counties of Hardin and Meade, George Calhoun and George Roberts; from the county of Harrison, John O. Beaseman and Napoleon B. Coleman; from the county of Henry, Benjamin Allen and Willis Long; from the county of Hopkins, Andrew Sisk; from the counties of Hickman, M'Cracken and Graves, Thomas James; from the county of Hart, James T.

Beauchamp; from the counties of Henderson and Union, John S. Lewright; from the county of Jefferson, James Guthrie, Lee White and John P. Declary; from the county of Jessamine, George W. Brown; from the county of Lincoln, John E. Wright; from the county of Livingston, Joseph Hughes; from the county of Logan, Elijah Hise and James W. Irwin; from the counties of Lawrence and Morgan, Rowland T. Burns; from the county of Madison, Clifton Rodes, Humphrey Jones and Abner G. Daniel; from the county of Mason, Winslow Parker and James G. Bailey; from the county of Mercer, John A. Tomlinson, Madison G. Worthington and Charles Burton; from the county of Montgomery, James Hays; from the county of Monroe, John S. Barlow; from the county of Muhlenburg, David Short; from the county of Nelson, Gabriel E. Cox; from the county of Nicholas, James Parks; from the county of Ohio, Elijah Crow; from the county of Owen, Thomas Woolfolk; from the county of Oldham, Jacob Oglesby; from the county of Pendleton, William C. Wilson; from the county of Rockcastle, William Smith; from the county of Russell, Ebenezer N. Robertson; from the county of Scott, Benjamin S. Chambers and Samuel Penn; from the county of Shelby, Samuel Shannon, George W. Johnston and Percival Butler; from the county of Simpson, William J. Williams; from the county of Spencer, Stilwell Heady; from the county of Todd, John C. Harlan; from the county of Trigg, George Venable; from the county of Warren, James T. Morehead and Henry Shanks; from the county of Washington, Richard Forrest, James McDonald and Thomas Head; and from the county of Woodford, Willis Field.

Who constituting a quorum, and having taken the oaths required by the constitution of the United States and of this State, as also that prescribed by the act of Assembly "more effectually to prevent the practice of duelling," repaired to their seats.

Mr. John W. Tibbatts, a member returned to serve in this House from the county of Campbell; Mr. Benjamin F. Thomas, a member from the county of Montgomery; Mr. Samuel T. Beall, a member from the county of Nelson; and Mr. Sherod Williams, a member from the county of Wayne, severally appeared, produced certificates of their election, and took the oaths prescribed by the constitution of the United States and of this State, and repaired to their seats.

Mr. John J. Crittenden was unanimously elected Speaker, and conducted to the chair; from whence he recommended the observance and preservation of good order and decorum.

Mr. Robert S. Todd was duly elected Clerk of this House during the present Session, and the oath of office was administered to him.

Mr. Richard Taylor was duly elected Sergeant at Arms.

Mr. Smith nominated Mr. Henry Wingate as a proper person to fill the office of Doorkeeper; and Mr. James nominated Mr. James Baker; and upon taking a vote, it appearing that Mr. Henry Wingate had received an *unanimous vote*, he was thereupon declared duly elected.

Ordered, That a message be sent to the Senate, informing that body, that this house having met, formed a quorum and elected their officers, are now ready to proceed to legislative business; and that Messrs. Combs, J. Calhoun, Smith and Guthrie, are appointed a committee on the part of this House, to act in conjunction with such committee as may be appointed on the part of the Senate, to wait on the Governor and inform him that the General Assembly has convened, and are now ready to receive any communication he may think proper to make; and that Mr. Combs carry the said Message.

Mr. Tibbatts moved the following resolution:

Resolved, That a committee be appointed to receive from the late Clerk of the House of Representatives, such papers and other public property as he may have in his possession, and to hand them over to the present Clerk.

Which being twice read was adopted, and Messrs. Tibbatts, Jonas and Harrison appointed a committee pursuant thereto.

A message from the Senate by Mr. Wingate:

Mr. Speaker—I am directed by the Senate to inform this house that the Senate having met, formed a quorum and elected their officers, are now ready to proceed to Legislative business. They have appointed a committee on their part, to act in conjunction with the committee appointed on the part of this house to wait on the Governor and inform him that the General Assembly have convened and are now ready to receive any communication he may think proper to make.

And then he withdrew.

Ordered, That the rules of the last, be adopted as those of the present session, and that the public printer forthwith print one hundred and fifty copies thereof, for the use of the members.

Mr. Chambers offered the following resolution:

Resolved, That this house now proceed to the election of an assistant Clerk.

Which being twice read, was adopted.

Mr. Jonas thereupon, nominated Mr. William S. Bodley as a suitable person to fill that office; Mr. Irwin nominated Mr. Gabriel J. Johnston; Mr. Anderson nominated Mr. Alfred King, and Mr. Tomlinson nominated Mr. Elias Tompkins; and upon taking a vote between them, a majority of all the votes appearing in favor of Mr. Gabriel J. Johnston, he was thereupon declared duly elected, and the oath of office was administered to him.

Mr. Combs, from the joint committee appointed to wait on the Governor, reported that the committee had discharged the duty

assigned, and were informed by the Governor, that he would on to-morrow at 11 o'clock, A. M. make a written communication (by way of message,) to each house of the General Assembly, in their respective chambers.

Ordered, That a committee of propositions and grievances be appointed, and a committee was appointed, consisting of Messrs. J. Calhoon, Venable, Griffith, Irwin, Walker, Long, Tomlinson, True, Kouns, Mize, Laughlin, Rice, Elliott and Lewright, and such other members as may from time to time choose to attend, who are to meet and adjourn from day to day, and take under consideration all propositions and grievances which may legally come before them and all such matters as shall from time to time be referred to them, and report their proceedings with their opinion thereupon to the house; and the said committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee of privileges and elections be appointed, and a committee was appointed, consisting of Messrs. Smith, Crow, Wilson (of Pendleton,) Beauchamp, Williams (of Simpson,) Harrison, Forrest, Yates, Burns, Sisk and Preston, who are to meet and adjourn from day to day and to take under consideration and examine all returns for members returned to serve in this house during the present session of the General Assembly, and all questions concerning privileges and elections, and report their proceedings with their opinion thereupon to the house, and the said committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee of claims be appointed, and a committee was appointed, consisting of Messrs. Love, Owsley, Fisher, Harlan, G. Calhoon, Woolfolk, Boyd, Parks, Penn, Oglesby, Jones (of Fleming) and Shanks, who are to meet and adjourn from day to day and take under consideration all public claims and such other matters as may from time to time be referred to them, and report their proceedings with their opinion thereupon to the House, and the said committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee for courts of justice be appointed, and a committee was appointed, consisting of Messrs. Guthrie, Butler, Anderson, Allen (of Green,) Brown, Coleman, Hawes, Johnston (of Shelby,) Robertson, Williams (of Bourbon,) Worthington, Chambers and Burns, who are to meet and adjourn from day to day, and to take into consideration all matters relating to courts of justice, and such other as may from time to time be referred to them, and report their proceedings with their opinion thereupon to the House, and the said committee is to inspect the Journal of the late Session, and draw up a statement of the matters then depending and undetermined and the progress made therein; also to examine what laws have expired since the last

session, and inspect such temporary laws as will expire with this, or are near expiring, and report the same to the House with their opinion thereupon, which of them ought to be revived and continued; and the said committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee of Religion be appointed, and a committee was appointed, consisting of Messrs Hardy, McDonald, Durham, Harris, Porter, Kennedy and Short, who are to meet and adjourn from time to time and take into consideration all matters and things relating to religion and morality, and such other as may from time to time be referred to them, and report their proceedings with their opinion thereupon, to the House, and the said committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee of Ways and Means be appointed, and a committee was appointed, consisting of Messrs. Combs, Hawes, Rodes, Cox, Beall, Jonas, Jones, Field, Head, Morris and Wilson (of Fayette,) who are to meet and adjourn from day to day, and take under consideration the revenue laws of this Commonwealth and all matters and things relating to, or connected with the fiscal concerns thereof, and such other as may from time to time be referred to them, and report their proceedings with their opinion thereupon to the House; and the said Committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee on Internal Improvements be appointed, and a committee was appointed, consisting of Messrs J. T. Morehead, White, Combs, C. Morehead, Hise, Parker, Taylor, Tibbatts, Butler, Roberts and Thomas, who are to meet and adjourn from day to day, and take under consideration all such matters and things relating to the improvement of the condition of the country by roads and canals, and such other matters as may come legally before them, or be referred to them, reporting their proceedings with their opinion thereupon to the House; and the said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Education be appointed, and a committee was appointed consisting of Messrs. C. Morehead, Tibbatts, Declary, Cox, Jonas, Lewright, Rucker, Ray, Murphy, Wheeler and Wright, who are to meet and adjourn from time to time, and take under consideration all matters and things relating to Education and the subjects immediately connected therewith, and such other as may from time to time be referred to them, reporting their proceedings with their opinion thereupon to the House; and the said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Military Affairs be appointed, and a committee was appointed, consisting of Messrs. Heady,

Daniel, Cassidy, Beaseman, Bruce, Burton, Crow, Dougherty, Hays, Hill, Hughes, Wilcoxon and Williams, (of Wayne,) who are to meet and adjourn from time to time, and take under consideration the militia laws of this Commonwealth, and all matters and things relating to the militia, and such other as may from time to time be referred to them, reporting their proceedings with their opinion thereupon to the House; and the said committee shall have power to send for persons, papers and records, for their information.

Ordered, That Messrs. James, Barlow, Shannon, McBrayer, Bailey and Allen (of Henry,) be appointed a committee of enrollments on the part of this House; that Mr. James inform the Senate thereof, and request an appointment of a similar committee on the part of the Senate.

And then the House adjourned.

TUESDAY, DECEMBER 8, 1829.

Mr. John Bruce, a member returned to serve in this House from the county of Lewis, appeared, produced a certificate of his election, and of his having taken the oaths prescribed by the constitution of the United States, and the constitution and laws of this State, and took his seat.

1. Mr. Combs presented the petition of the Stockholders of the Lexington White Lead Manufacturing Company, praying that a law may pass to authorize them to close and wind up the affairs of said corporation before the time limited for in the charter.

2. Mr. Oglesby presented the petition of sundry citizens of Oldham county, praying a repeal of an act of assembly, passed in 1827, removing the seat of justice of said county from Lagrange to Westport.

3. Mr. Irwin presented the petition of sundry citizens of Logan county, praying that a law may pass to detach them from the 66th regiment of Kentucky militia, and that they may be attached to the 23d regiment.

4. Mr. James presented the petition of sundry citizens of Hickman county, praying that a law may pas to remove the seat of justice of said county from the town of Clinton to Moscow, or that the qualified voters of said county be permitted to select a place for the permanent seat of justice.

5. Mr. Rucker presented the petition of sundry citizens of the counties of Hopkins, Union, Livingston and Caldwell, praying for an appropriation of money to be applied to the improvement of the navigation of Trade Water river.

6. Mr. Thomas presented the petition of James Mitchell, praying compensation for his services and expenses incurred in arresting and bringing to justice, Wester Gallian, a fugitive from justice on a charge of felony.

7. Also, the petition of sundry citizens of this Commonwealth, praying that provision may be made by law for constructing a Turnpike on the road leading from Lexington to the Virginia State line, by way of Mountsterling and the Olympian Springs, to meet the Virginia Turnpike road.

8. Mr. Crow presented the petition of Charles Wallace and Nicholas Hocker, representing that they became securities of Benjamin Gilbert, sheriff of Ohio county, who having failed to pay the revenue tax due from said county, a judgment was recovered against them, and the petitioners were compelled to pay the amount *with damages*, (their principal having become hopelessly insolvent,) and praying that a law may pass to refund to them the amount of the *damages*.

9. Mr. Williams (of Bourbon,) presented the petition of the guardians of the infant heirs of George Stipp, deceased, praying that a law may pass to authorize the sale of the interest of their wards, in and to a small tract of land lying in Bourbon county.

10. Mr. Guthrie presented the petition of the Louisville and Portland Canal Company, praying that a law may pass to enlarge the capital stock of said company, and to authorize a sale of the additional stock to be subscribed; and,

11. Mr. Heady presented the petition of Delia Humphrey, praying a divorce from her husband Ely Humphrey.

Which petitions were severally received, read and referred; the first to a select committee of Messrs. Combs, C. S. Morehead and E. J. Wilson; the second and fourth to the committee of propositions and grievances; the third to the committee on military affairs; the fifth and seventh to the committee on Internal Improvements; the sixth to a select committee of Messrs. Thomas, Anderson and Mize; the eighth to the committee of claims; the ninth to the committee for courts of justice; the tenth to a select committee of Messrs. Guthrie, White and Declary, and the eleventh to the committee of religion.

Leave was given to bring in the following bills:

On the motion of Mr. Jonas—1. A bill to change the time of holding courts in certain counties in the second Judicial District.

On the motion of Mr. Declary—2. A bill to amend an act entitled "An act to incorporate the Ohio Bridge Company."

On the motion of Mr. Forrest—3. A bill to turnpike Muldrow's Hill, on the main road from Lexington to Nashville.

On the motion of Mr. White—4. A bill to incorporate the Lewis Pottery Company, for the purpose of manufacturing Queens and China wares at Louisville.

On the motion of Mr. Rucker—5. A bill to take the sense of the good people of this Commonwealth, as to the propriety of calling a convention.

On the motion of Mr. Guthrie—6. A bill to provide for Turnpiking the principal roads in this Commonwealth.

On the motion of Mr. Beaseman—7. A bill to extend the Constable's bounds, on Beaver creek, in Harrison county.

On the motion of Mr. Beall—8. A bill to incorporate the Female Literary and Benevolent Institution of Nazareth, near Bardstown.

On the motion of Mr. Tibbatts—9. A bill to encourage the general diffusion of education in this Commonwealth, by the establishment of a uniform system of public schools.

On the motion of Mr. Heady—10. A bill to make an appropriation to build a bridge across Salt River, at the town of Taylorsville.

On the motion of Mr. Forrest—11. A bill to incorporate the Female Literary Institution of Loretto, in Washington county.

On the motion of Mr. Anderson—12. A bill to provide for the appointment of Trustees to the Lancaster Seminary.

On the motion of Mr. Morehead (of Warren)—13. A bill to incorporate the Green and Barren River Navigation Company.

On the motion of Mr. Tibbatts—14. A bill to allow the Independent Bank at Newport, further time to settle its concerns.

On the motion of Mr. Williams (of Simpson)—15. A bill to amend an act, entitled "An act to amend the act appropriating fines and forfeitures for the purpose of promoting education."

On the motion of Mr. Boyd—16. A bill to establish a new Judicial District, west of the Tennessee River.

On the motion of Mr. Ray—17. A bill to continue in force an act for the benefit of the Headright and Tellico settlers; and for other purposes.

On the motion of Mr. Williams (of Wayne)—18. A bill to authorize Jacob Back, administrator of the estate of Thomas Collins deceased, of Wayne county, to sell so much of the decedent's land, as will pay the debts due and owing from said estate.

On the motion of Mr. Combs—19. A bill to limit the powers and explain the duties of surveyors of public roads and highways.

Messrs. Jonas, Tibbatts, Fisher, Beaseman, Coleman, W. C. Wilson and Parks, were appointed a committee to prepare and bring in the first; Messrs. Declary, White, Guthrie, Beall and G. W. Johnston, the second; Messrs. Forrest, Durham, McDonald, Head and W. B. Allen, the third; Messrs. White, Guthrie, J. Calhoun, Love and Harlan, the fourth; Messrs. Rucker, James, Boyd and Hardy, the fifth; Messrs. Guthrie, Combs, Butler, C. Morehead, J. T. Morehead and White, the sixth; Messrs. Beaseman, Coleman and Chambers, the seventh; Messrs. Beall, Cox and Jonas, the eighth; Messrs. Tibbatts, Jonas and Fisher, the ninth; Messrs. Heady, Shannon, Beall, Butler, Cox and Guthrie, the tenth; Messrs. Forrest, McDonald, Head, Cox, Beall and Guthrie, the eleventh; Messrs. Anderson, Harris and Rodes, the twelfth; Messrs. J. T. Morehead, Shanks, Preston, Hardy and

Crow, the thirteenth; Messrs. Tibbatts, Guthrie and Jonas, the fourteenth; Messrs. W. J. Williams, Shanks, J. T. Morehead and Walker, the fifteenth; the committee for Courts of Justice, the sixteenth; Messrs. Ray, J. T. Morehead and Williams of Wayne, the seventeenth; Messrs. S. Williams, Irwin and Harlan, the eighteenth; Messrs. Combs, True and Field, the nineteenth.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Combs—1. A bill to authorise the Lexington White Lead Manufacturing Company to close and dispose of said establishment—and,

By Mr. Guthrie—2. A bill to enlarge the capital stock of the Louisville and Portland Canal company.

Which bills were severally received and read the first time and ordered to be read a second time.

And thereupon the rule of the House and constitutional provision requiring bills to be read on three several days, and second and third readings of said bills having been dispensed with and the same having been engrossed:

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That Mr. Combs carry the former and Mr. Guthrie the latter bill to the Senate, and request their concurrence.

Mr. Beaseman moved the following resolution:

Resolved, That the Commissioners for building the Capitol be requested to furnish immediately, as many tables as may be necessary for the use of the members of this House.

Which being twice read, was adopted.

A message from the Governor by Mr. Crittenden, his Secretary:

Mr. Speaker—I am directed by the Governor, to lay before this House, a message in writing.

And then he withdrew.

The said message was then taken up and read as follows:

Fellow-Citizens of the Senate,

And of the House of Representatives:

THE seasons having performed their annual revolution since the date of my first official communication to the Legislature, it is with feelings of unbounded gratitude to an all-wise and benevolent Providence, for the innumerable blessings which, in common with the rest of our fellow-citizens, we have been permitted to enjoy through the intervening space, that I again attempt to discharge that part of the duty reposed in me by the Constitution.

With but very inconsiderable sectional exceptions, the past season has been truly propitious to the husbandman. In all the variety of his crops, he has been signally successful; and he is abundantly surrounded by the fruits of his labor. His intercourse, social and commercial, with his brethren of the sister

States, and of the world, remains uninterrupted; and next to the Author of his being, he looks with confidence to the representatives selected by himself, for a continuance of that prosperity, which by his own persevering industry and economy, he endeavors to deserve; and however complicated our system of government may be, it is nevertheless so ingeniously organized, its powers and duties so happily blended and divided, that nothing less than the most intolerable misrule on the part of those who give direction to, and control the action of the Government of the Union, or an unhappy failure of the several departments of the State Government to co-operate in the discharge of their respective duties, can for a moment arrest the march of National, State, and individual prosperity, which is so plainly indicated on the map of this flourishing confederacy.

With entire confidence in the wisdom and virtue of the Legislature, and an unwavering determination to discharge my duty according to the best lights of my understanding, allow me briefly and respectfully to submit the following views for your consideration.

You are fully aware of all the circumstances, which led to the existing vacancy on the bench of the Court of Appeals, as well as of the difficulties which occurred during the last session of the Senate, between that body and the Executive, in consequence of which, the vacancy was not filled at the close of the session. It is sufficient for me to say, that under the peculiar circumstances of the case, I did not think it expedient to fill the vacancy during the recess. Whether an appointment pro-tem. to that office, would have been acceptable to any one qualified to fill it, I cannot pretend to assert, as I did not think proper to make the experiment—the provisions of the constitution not appearing to me imperatively to enjoin the exercise of that power; but only permissively to grant it, to be exercised or not, as a sound discretion under all the attendant circumstances might seem to dictate.

The only visible effect of my declining to fill the vacancy, has been, in the obvious increase of labor thereby imposed on the two Judges now on the bench. But I am happy in the belief that by extraordinary efforts, they have succeeded in giving general, if not entire satisfaction to the public.

In looking at the present, and contemplating, with anxious anticipation, the future condition of our country, the mind necessarily turns to the subject of education as one of primary importance.

No fact can bring to the heart of the American patriot, a stronger assurance of the permanency and prosperity of these States, than the general exertion upon this great subject throughout our extensive country. The effort is ardent, persevering, and worthy of the high object. The States having the means, have invoked

in this wise and philanthropic undertaking, the sages of the land, and have poured forth their treasure with a generous profusion.

Virginia, our mother State, has exhibited to us a proud example. To her son, the darling of his own State, the benefactor of his Nation and of mankind, the venerable Jefferson, she confided with command of funds, almost unlimited in amount, the task of rearing and organizing her "Centre College."

To this good work, he, the fame of whose wisdom was not bounded by oceans, devoted the latter days of his honored and well spent life.

The Congress of the United States has, by liberal donations for similar purposes to several of the younger sisters of the confederacy, announced their opinion of the value and importance of the end desired.

The States around us, are in action upon the subject; or preparing for it. Kentucky too, owes this debt to posterity, to her own elevated fame, and the security of her rights. She has felt it; and under the influence of this conviction, she has been making her arrangements, and maturing her plans. She has adopted Transylvania as a State Institution, and made advances, which but for unforeseen and ruinous misfortune, would have placed, beyond the reach of doubt, the prosperity and usefulness of that University.

It is known to you that the Trustees of Transylvania had, some years since, at the expense of about thirty thousand dollars, erected a valuable and splendid edifice. It is also known to you, that that edifice, lately so valuable and splendid, is now a heap of ashes, involving in its conflagration, the destruction of far the greater portion of an extensive and costly Library, and much of the apparatus essentially necessary in an establishment devoted to science. The building was insured to the amount of ten thousand dollars; but it will take that amount, or much the greater portion of it, to replace the Library and apparatus, thus making something like the entire loss of the edifice. This, it is confidently believed, with the materials not destroyed by the fire, can be replaced with the sum of fifteen thousand dollars. There are in the Academical department, one hundred and thirty-five students. Under these circumstances, the fate of the Institution is probably placed entirely in your hands.

A failure on the part of the Legislature to sustain it now, in its adverse and struggling condition, may well be considered as a final abandonment. To your better judgment I submit it, whether such should be the course adopted. Yet I cannot refrain from the indulgence of a hope, that the Legislature in its wisdom may be able to devise some plan of relief adequate to the object. Kentucky is now a great and a wealthy State. The sum necessary is comparatively small.

Will the Legislature sit idly by and see that University, the adopted one of Kentucky, wither and sink under the stern visitation of calamity, for the paltry consideration of a few thousand dollars? If the Legislature should, however, decline to make an unqualified appropriation, it occurs to me barely to suggest as a substitute, the application of a part of the school fund to this purpose, the interest of which should be reimbursed in the education of poor youth, to be selected in such manner, as you may designate. That fund is now idle. It may long remain so. In the plan suggested it is put into immediate action. And it would not be difficult to make that selection fall upon the impoverished posterity of those, to whom for their toils and services, and dangers in the fields of their country's renown, we owe a debt of gratitude beyond our power to pay. But this latter appropriation I candidly own is not free from objections in my own mind. Yet I submit it to your better judgment; and shall be gratified if one, less liable to objection, can be devised. The subject of education in its every form and aspect is certainly of the highest importance. None is more so, in all the range of human concerns and interests. It mingles alike with the feelings of the father, the patriot, and the philanthropist. It involves the felicities of home; and fills all the circle of patriotism—for it is alike the basis of domestic happiness and national prosperity. It is the ornament of society. It is the strength of liberty, and when possessed by the christian, it is awfully terrific to the enemies of his religion.

To this interesting topic, I have given here but a passing notice. For a more ample exposition of my views, I must beg leave to refer you to my communication of the last session, where it will be seen that Transylvania stands not alone, as an object of my peculiar regard, among the various colleges and institutions of learning in our State. If I have, on this occasion, pointed to her with more than ordinary anxiety, it is no more than I would have done in behalf of any one of the rest, had a similar calamity, unfortunately befallen it.

Since the adjournment of the last Legislature the wall around the Penitentiary has been raised about seven feet above its former height; and the invaluable improvement of a separate cell, or night room for each convict, has been provided. The penitentiary system has recently become a subject of deep interest to the friends of a humane and benevolent policy, not only in this, but in several other of these States, as well as in Europe. It attracts the attention, and excites the purest sympathies of the most worthy of the sages and matrons of our land. For it may be assumed as a melancholy fact, that out of the multitude of prisons of this description in Europe and America, *not one* of them has, until within a few years past, been even partially successful in the reformation of the convicts. On the contrary, their history confirms the afflicting truth, that without a solitary exception, they

have been so many schools of vice; mere dens of iniquity, in which all the ingenuity of depraved and wicked men, has been successfully exerted, to receive and impart lessons of immorality, and concert dark schemes of the most abominable and atrocious villainy. The advantages resulting to society from the temporary seclusion of this unfortunate portion of its members, have, it is believed, been more than counterbalanced, by the extraordinary mischiefs produced by their occasional liberation. The inmates of those sinks of deep and appalling moral degradation, have been let loose upon society, the most desperate, dexterous and hardened villains; contaminating every thing within the scope of their deleterious influence, until again detected, condemned and returned to the same, or to some other prison. Add to this cheerless fact, that prior to the recent improvements of the system not a single instance can be cited, of a public prison, the *expenditures* of which, have not greatly exceeded the *income* from the labor of the convicts, and it is no matter of surprise, that the efficacy and justice of this mode of punishment, should be doubted. For what can be more unjust towards the virtuous part of any community, than the impositions upon them of heavy burdens to support the most profligate, who are immured in prisons, in lieu of merited inflictions of a more sanguinary character.

But a brighter and a better day appears to have dawned upon those abodes of darkness, and hitherto, nurseries of crime. The defects of the system are detected and exposed; and remedies applied, which are now in full and successful operation. The reader of the reports of the "prison discipline society" whoever he may be, will unhesitatingly acknowledge the facts as stated. We are mainly indebted to the benevolent fathers composing that society, aided as they have been by some other powerful minds in this country, as well as in Europe, for nearly all the lights we have on this subject, so deeply interesting to every civilized and Christian community. This society was organized in 1825. Its avowed object, was the improvement of public prisons. How far this noble purpose has been marked with success, let Auburn, Sing Sing, Weatherfield, and some other public prisons attest. Stimulated by the purest motives, that ever animated the bosoms of the benevolent, that society has at great expense and trouble, procured and disseminated more useful information, within the short term of its existence, than had been previously obtained, in relation to this matter, from the time of the establishment of the first public prison in this or in any other country. Hard labour by day, and solitary confinement by night, allowing no avoidable conversation with each other, or with any one else, except the keeper or by his consent, and carefully furnishing moral and religious instruction may be considered as an outline of the plan proposed by the society. From this very brief, but general view of public prisons, allow me to draw your particular attention

the one over which the Legislature, under high and solemn responsibilities, has immediate and direct control.

This establishment has within a few years past undergone very great and striking improvement; commencing and progressing almost simultaneously with the improvements of the other prisons alluded to; but from a *cause* entirely different, except so far as that cause has been instrumental in introducing and bringing into action, the principles of the "prison discipline society." I refer to the employment of a keeper whose pay for his services is made to depend entirely upon the net profits of the establishment. This idea has its novelty; and will, by many, be viewed as utterly erroneous. Indeed I am aware, that among speculative and fanciful theorists, it will have to encounter the most formidable opposition. It will, nevertheless, stand the test of experience; and will, in the end, have to be engrafted on the improvements suggested by the prison discipline society, to complete the system.

This plan furnishes the strongest imaginable guaranty, that the convicts shall not become a burden to the State. It ensures the strictest economy, and it is now fully conceded, "that in prisons, where there is most moral improvement, there is least expense"—that economy and moral improvement, are not adverse, but congenial principles, and must co-operate to produce any very favorable results. The interest of a keeper employed on our plan and that of the Commonwealth, are precisely the same. It is his interest that the work of every description should be executed in the best manner; and that no unsaleable articles shall be allowed to accumulate on hand. His interest directs his attention to the health of the convicts. He taxes his ingenuity to provide for them, the most profitable employment. He varies that employment to suit the times and the market; and he is constantly awake to all the pecuniary concerns of the establishment. He is interested in their moral improvement, and it is against his interest that the convicts should be improperly abused, or cruelly treated.

It is to be hoped that this institution will never fall under the control of a superintendant, whose only motive is, cold calculating gain. But should it unfortunately so happen, we have much less to fear from that circumstance than from the employment of a keeper, the reward of whose services is not contingent, on the pecuniary management and success of the establishment.

Assuming the ground that a rigid economy is as essential to moral improvement, as it is to ensure common justice to the virtuous portion of the community, and it may be asked, whether the cost of criminal prosecutions added to the expense of rearing public buildings, is not as much as ought to be imposed upon the law-abiding and upright portion of society, for the purpose of mitigating the punishment of lawless and high handed offenders?

In proportion to our population, the number of commitments to this prison, is certainly not considerable. That an average population of about a half million annually, should in the last thirty years, furnish but six hundred and thirty of that unfortunate class, is by no means extravagant. And yet it is known that the cost of criminal prosecutions in many of our counties, some of them ranking among the most populous and wealthy, greatly exceeds the amount of revenue they pay into the Treasury. To guard against an increase of this burden upon the Commonwealth for the support of the convicts, is thought not to be unworthy of the consideration of the Legislature. That increase is effectually guarded against by our mode of employing a superintendant. And assuming the ground that an equal moiety of the net income of the establishment is an ample reward for his services (and he ought to be amply rewarded,) it follows of course, that the State's moiety of the net income will be sufficient to make provision for their moral and religious instruction, to employ competent teachers of Sunday schools, and to make such alterations and improvements in the buildings as may from time to time be deemed expedient. At this time the most striking deficiency in the establishment is, the want of a Hospital; and it is respectfully submitted to the Legislature, whether it will not be well to procure for the use of the State, copies of the reports of the "prison discipline society," with such other valuable information, as it may be convenient to obtain in relation to this interesting subject.

On examination of the Reports of the conductors of public prisons generally, it will be seen, that due and proper notice is taken of the female convicts. On this head, I have nothing to communicate, except to express the pleasure which is derived from the fact, that we have not for several years had a single individual of that sex confined within the walls of the Penitentiary.

Connected with this subject in some degree, is that of a "house of refuge," for juvenile delinquents. Houses of this description having been recently constructed, are now in successful operation in several of these States. They are probably entitled to the first rank, among the humane and benevolent institutions of this, or any other country—reflecting upon the authors the highest honor, and insuring them imperishable renown. The heart that chills at the sight of a youth of tender years, immured in a prison with none to instruct him, but the most hardened offenders, will rejoice at the establishment of an institution, in which the youthful delinquent is to be placed under the fatherly and matronly care of the pious and sensible, where the restraints imposed, and instruction given, are at once preventive and remedial of crime, and tend so admirably to qualify those objects of charitable regard for all the useful purposes of life.

Under the provisions of an act of the last session of the Legislature, incorporating the Maysville and Lexington turnpike road company, that road has been commenced at the former point, and is now in progress towards the completion of the first five miles. It is to be hoped that this road will not be permitted to stop at the termination of that distance. It is a road of great importance both in a national and sectional point of view, and if not neglected by the State, will doubtless receive the co-operation of Congress, as well as individuals in making it. The importance of improving the roads leading from the appropriate points along the Ohio and other navigable rivers, into the strong settlements of the interior, to enable our farmers to convey their produce to market, and to return with such other bulky and ponderous articles, as they are in the practice of supplying themselves with from those rivers, at less cost and trouble, begins to be more than ever seen and acknowledged.

The individual enterprise of the citizens of Lexington, Versailles and Frankfort, stands conspicuous for the exertion which it is making to locate and construct a road from Lexington in a direction to Louisville, and I trust they will receive the countenance and support of the Legislature.

By the exaction of a revenue to be expended upon works of this character, it is not possible to oppress the poor, or injuriously to affect the interests of any portion of the community. Our revenue is derived from the property of the country and not from individuals. By the expenditure of revenue upon durable public works of this description, the value of property is enhanced to the owner greatly beyond the amount which it has contributed to the object, and in addition to numerous other almost incalculable advantages resulting to the owners of property, they are enriched by such expenditure when judiciously applied. To the poor, it gives certain and profitable employment—as for instance the wages of labour at this time in Pennsylvania are said to be nearly double what it was a short time since, in consequence of the Canal and other public works, which are in progress there. Besides the Schuylkill and Lehigh Canals, and that of the Chesapeake and Delaware, about four hundred miles of the Pennsylvania Canal is expected to be in full operation, early next summer. And this great State, when her other resources are found to be inadequate, borrowed and continues to borrow, to the amount of millions, sooner than for a moment to be obstructed in her improving march to the high destiny that awaits her. Pennsylvania rightly understands her best interests, and so did the great State of New York as evinced by the public spirit which she has displayed in executing works of this character. Indeed, he is no political economist, who does not perceive that revenue raised and judiciously applied to the improvement of a country, tends to enrich and not to impoverish its inhabitants.

It is my duty in compliance with the request of the Governors of the States of Georgia, South-Carolina, Virginia and Mississippi, to communicate to you the resolutions which they have respectively adopted, in opposition to the Tariff, and with the exception of those adopted by the Legislature of Mississippi, denying the power of the General Government to make Internal Improvements, and one from the Legislature of South-Carolina, denying the power of Congress to "patronize, or direct appropriations for the benefit" of the Colonization society.* In performing this duty, I will superadd, that also of expressing my deliberate conviction, after mature and full examination of the power of the General Government to adopt and of the wisdom of the policy, and justice of those measures; and instead of their being abandoned, the prosperity of the Union, and of this State, in my judgment, requires that they should be steadily maintained, and carefully improved, in all cases respecting the tariff, where the degree of protection which it affords, is inadequate to the object; and in all cases of Internal Improvement, where the magnitude and importance of the work to be executed, is sufficient to demand it, as a National measure, and also to patronize and aid the Colonization society. In some of those resolutions and remonstrances, a tone is assumed, and a temper manifested, which are to be deeply regretted. Every member of the Union has the undoubted right, freely to express its opinion, on any act or measure of the General Government, and may resort to all constitutional and peaceful means to impress that opinion upon the majority of the people and of the States. But here its right stops. It cannot proceed a step farther, and obstruct the execution of the acts of the Union, by acts of its own. Such obstruction, if acquiesced in by the General Government, would amount to a virtual dissolution of the Union—if resisted, would lead to civil war. These were the principles upon which Kentucky and her parent State acted at the memorable period of 1793, and I do but act upon the same principle, in thus expressing my dissent from the doctrines avowed in the accompanying resolutions, and in submitting to the Legislature as I am now about to do, the views which I entertain, in opposition to certain other acts of Federal authority.

The intimate connexion which happily exists between the governments of the Union, and of the several states, and the mutual influence which they exert upon the community and upon each other, render it proper and necessary that a guarded attention should be constantly applied to the measures adopted, and the principles asserted and acted upon by both. But this is essentially requisite in relation to the General Government. Whilst the operation of the measures of the State Government is principally limited to its own territory, that of the Federal Government is co-

* The documents here referred to, will be found in an Appendix.

extensive with the whole Union. The injury flowing from the adoption by a State of an erroneous policy, or its pursuit of pernicious principles, is confined chiefly to itself, and that injury may even be of great magnitude and of long duration, without disturbing the harmony, or impairing the prosperity of the parts of our confederacy. But the case is otherwise with the General Government, whose acts and proceedings immediately extend throughout the whole, and to every part, and as they are marked by wisdom or indiscretion, promote the happiness, or occasion the distress of all. This quality of the acts of the Federal Government, makes it the duty of the chief magistrate of the Commonwealth, under the injunction contained in its constitution to notice any of them from time to time that he may deem injurious in their tendency. And accordingly, my predecessors have, at various times, called the attention of the General Assembly to particular acts of the Federal authority, which in their opinion bore that character. A similar usage prevails in most, if not all of the other States composing the Union.

Upon the termination of the late Presidential contest which had been during the whole of it characterized by uncommon warmth and acrimony, it was the interest of all, and is believed to have been a general inclination, to consign to oblivion, unpleasant incidents which had attended it. The will of the majority of the nation had been constitutionally expressed, and it was the duty of those who differed with that majority to submit to its decision, and in deference to it, as well as in justice to the distinguished individual who had been elected, to give a fair and impartial consideration to the acts of his administration. After having conformed to that duty and deliberately examined these acts, with all the candor and freedom from bias of which I am capable, I feel constrained to express my serious apprehensions of the dangerous tendency of the principles on which the patronage of the government has been recently administered. The present administration exhibits the first example under the General Government of the exercise of that power in numerous instances by dismissing officers at home as well as abroad, on no other ground than that of difference of opinion as to the person who should be entrusted with the Chief Magistracy of the country. And it has exhibited the first example also, of the recall, at great and unnecessary expense, of several of our foreign diplomatic agents without the slightest intimation of any fault in the performance of their duties. Without dwelling upon the injury to the public from the dismissal of able, honest and experienced servants; or upon the injustice of punishing those servants by a sudden privation of their means of subsistence, for no other reason than difference of opinion, there is much cause of alarm in the practical consequences of a principle which assumes, that the President of

the United States may rightfully expel all who ventured to oppose his election whatever may be their merits in other respects.

Our elections recur periodically after short terms. If the President of the United States elected every four years, may dismiss every official incumbent who took part against him at the preceding election, our country will become a perpetual and distracted theatre of confusion for the offices of Government to the total disregard of the public interest and of all patriotic considerations. The example of the President will be contagious, as to the functionaries of the State Governments invested with analogous powers of dismissal, and terminate in a scene of disorder, strife and turmoil throughout the land without any precedent. But it is not in the exercise of the patronage of the General Government by removal from office alone, that just occasion is furnished for serious reflection and fearful foreboding. The numerous appointments that have been made of members of the last or present Congress, to public employments, far transcending in number, those that had been made during a similar period under any preceding administration, cannot but excite anxious solicitude in respect to the independence of Congress. To that body is confided the duty of watching over every branch of the public administration; of calling for and scrutinizing accounts; and of detecting and punishing abuses, in any of the departments of Government. What guaranty has the public for the faithful performance of this high duty, in respect to the Executive, if an undue proportion of the public offices and honors is conferred upon members of Congress by that very branch of Government: whilst it would on the one hand be improper to exclude them from public appointments farther than they are excluded by the constitution, it must be acknowledged, on the other, that an inordinate number should not be appointed; and that the public should continue to possess adequate security for their fidelity, both in the importance and the limited number of the offices bestowed on them. Through members of Congress in the exercise of their franking privilege, and through the press in subsequently disseminating the intelligence received from them, the greatest mass of political information is distributed to the people. Hence, and on other accounts also, the great importance of a perfect preservation of the purity and independence, both of Congress and of the press. But at the period when we have beheld the disproportionate number of those who now are, or very recently were members of Congress appointed to public offices by the Executive of the United States, we have also seen numerous instances of the appointment of Editors of newspapers throughout the Union, some of whom continue to perform their joint editorial and official duties after receiving their appointments. If Congress and the press are habituated to look to the Executive instead of the people, for promotion, honor and offices, there would be much reason to ap-

prehend that they would in process of time, both prove to be faithless guardians of the public liberty.

Nor are the mischievous consequences of the principle confined to the period which follows the election to the Presidency. It mingles, with alarming force, with the election itself. It calls into the contest every political adventurer, stimulated by the hope of gain, to be measured out to him, according to the violence with which he may advocate the claims of the successful candidate, and the rancor with which he may denounce and villify an unsuccessful one. Thus thousands are invited by personal interest, to bring back upon us, with the recurrence of every Presidential election, scenes of heat and violence, in the fury of which there is certainly great evil and great danger of error.

Truth is disregarded, and an interest dangerous to the purity of elections, usurps the place of dispassionate inquiry and true love of country. A title is asserted to office not founded upon talents, integrity or services rendered to the country—but upon services rendered to the President in his election. The principle thus strikes at that virtue and exclusive patriotism which is the strength of our country, and without which this government the wonder and admiration of the world cannot long endure.

I refer to these transactions with unaffected regret. But I cannot be deterred from the performance of a sacred duty by any consideration resulting from the number who may approve of them. The history of the State, which has done me the honor to place me in the station which I now hold, demonstrates its warm attachment, and ardent devotion to the cause, and the lasting preservation of liberty; and when at the period herein before alluded to, it believed that liberty to be in peril, the people of Kentucky in boldly resorting to constitutional measures, to sustain and uphold it, did not stop to enquire how many other States were ready to co-operate with them. And it will now be for the people through their representatives to arrest the consequences anticipated before too late. Whether by reducing the pay, and salaries of officers, who rely on the President for appointment and continuance, and thereby to lessen the inducements, and the means of intrigue and corruption, or by the exercise of the elective franchise, or both, are matters worthy of the most serious consideration of every friend of the republic. That a considerable sum may be saved to the country by a reduction of the pay of those officers, not only without detriment, but with great advantage to the public interests, I have not for many years entertained a doubt.

The actual deficit in the Treasury, at the expiration of the last fiscal year, was about thirty thousand dollars less than we had been led to expect from the estimate of the Auditor. This is mainly to be accounted for by the amount saved to the Commonwealth, under the provisions of "an act requiring certain du-

ties of clerks" approved the 16th of January last, and an act approved the 29th of the same month, regulating the pay of venire men.

But the amount of the actual deficit, when added to that which is expected to accrue in consequence of an excess of expenditure, beyond the income of the present year will, according to the estimate of the Auditor, amount to one hundred and two thousand eight hundred and eighty-five dollars, and ninety-seven cents, which, unless provision is made to meet it, will be the balance against the government on the 10th day of October next.

In referring to these facts and estimates, I have only to add, that I have entire confidence in the sagacity of the Legislature to perceive, and in its wisdom to adopt the most suitable mode of drawing from our ample resources the means of supplying this deficiency.

In compliance with the request contained in the resolution adopted by the Legislature on the 29th January last, a correspondence was opened with the Governor of Tennessee, by letters bearing date the 12th of February, and the 1st of May last, to the latter of which a reply was received bearing date the 21st of the same month, giving assurances, that it would be very gratifying to the authorities of Tennessee, to have the boundary between the two States permanently fixed; but that the Legislature had made no provision on the subject, and consequently that no step could be taken to co-operate with us. But stating that should a suspension of operations be directed on the part of Kentucky, until the meeting of the Assembly of that State, it would afford an opportunity for a joint commission which on their part, would be very desirable, as nothing could be satisfactory to the people on the border, unless both parties were represented.

It was under these circumstances determined, that it would best comport with the courtesy and respect due to the authorities of a sister State, and consequently with the views of the Legislature, as well as with the best interests of the border inhabitants, to suspend all operations until the opportunity suggested had been afforded to the Legislature of Tennessee, which it is understood, met on the third Monday of September last, since which time no further communication on the subject has been received.

I will here present to you, a general outline, only, of the situation of the Bank of the Commonwealth, as a report in detail of the affairs of that Institution, will shortly be laid before you by its President.

The whole amount of debt due the Bank on the first day of October last, including notes in suit, and notes under discount not in suit, was \$1,018,492 85, which is \$118,376 23, less than the amount due at the close of the preceding year. The amount of

notes under discount has diminished within the last year \$185,270 35. The whole amount of real estate purchased by the Bank is \$58,728 52. The Literary Fund remains stationary since the last year at \$140,917 44; and the whole amount of stock is \$542,553 63. The net profits of the Bank for the last year is \$8,291 17 less than the net profits of the next preceding year; and the amount of loss within the last, exceeds that of the former year \$24,955 45.

The diminution of profits is a result consequent in part upon the diminution of notes under discount, and in part upon the useless and expensive continuance of the Branch Banks. And the increase loss as before stated, was occasioned by the robbery which was committed during the last autumn upon the Branch Bank at Louisville.

After the most mature deliberation, I have been led to consider it my duty, respectfully to recommend the withdrawal of all the Branch Banks, as soon as may be practicable. By doing so, the risk of losses by fire, robberies, or other accidents, will be lessened in a ratio proportionate to the number of branches—or thirteen to one; and the expenses of the establishment will be considerably reduced. By the appointment of Collecting Agents, in lieu of the Branches, it is believed that the convenience of the debtors, as well as the interest of the Commonwealth, would be consulted.

In making this communication, I have doubtless omitted to notice some of the topics of public interest which will occur to the Legislature. But I am consoled by the reflection, that no evil to the country can result from that omission. The immediate representatives of the people, selected for their intelligence and virtue, from all parts of the State, will readily supply the deficiencies of this communication.

Our country is rapidly advancing in a career of prosperity. Blessed with generous soil, and healthful climate; aided in our commerce, by the facilities of modern invention, by which the age we live in is so eminently distinguished, it remains for us only to be judicious and wise, in the application of the means, so bountifully bestowed by the Author of all good, to render us prosperous, and happy, and powerful. To this end, let us bear back to our homes, when our labors are over, the consolation, of having diligently and faithfully dedicated our whole time, and our humble talents.

THOMAS METCALFE.

DECEMBER 8, 1829.

Ordered, That the public printer forthwith print fifteen hundred copies of said message, for the use of the members of this House.

Mr. Jonas moved the following resolution:

Resolved, That so much of the Governor's message as relates to the tariff and internal improvements, be referred to the committee

on Internal Improvements: Also, so much as relates to schools and seminaries of learning, to the committee on Education: Also, so much as relates to revenue and the Commonwealth's Bank, to the committee of Ways and Means.

Which being twice read, was adopted.

And then the House adjourned.

WEDNESDAY, DECEMBER 9, 1829.

A message from the Senate by Mr. Stonestreet, their Secretary:

Mr. Speaker—The Senate have passed bills of the following titles: An act to change the time of holding the Spencer Circuit and County courts; and an act authorizing certain advertisements to be inserted in the Kentucky Intelligencer printed in Flemingsburg; in which bills they request the concurrence of this house.

And then he withdrew.

Mr. John Hill, a member returned to serve in this house from the county of Pulaski, appeared, produced a certificate of his election and of his having taken the oaths prescribed by the constitution of the United States and the constitution and laws of this Commonwealth, and took his seat.

1. Mr. James presented the remonstrance of sundry citizens of Hickman county against the petition of sundry other citizens of said county, praying a removal of the seat of justice from the town of Clinton to Moscow.

2. Mr. C. S. Morehead presented the petition of John F. Henry, administrator of Robert P. Henry, deceased, praying that a law may pass to authorize a sale of the real estate of the deceased, for the purpose of discharging the debts of the estate.

3. Mr. Guthrie presented the petition of the administrators of the estate of David McCoy, deceased, praying that a law may pass, authorising a sale of the real estate of the decedent, for the purpose of discharging the debts due from said estate.

4. Mr. Hardy presented the petition of Mary Poddigo, praying compensation for the support and maintenance of James Nichols, an idiot, committed to her charge by the order of the circuit court of Barren county.

5. Mr. Roberts presented the petition of sundry citizens of Hardin county, praying that the elections in the precinct in Hardin county may be hereafter held at the house of Stephen Luthrin or David Greensalt.

6. Mr. Brown presented the petition of Mary Drysdale, praying a divorce from her husband, Reuben Drysdale.

7. Mr. Guthrie presented the petition of sundry citizens of Shippingsport, praying that a law may pass to appoint Trustees for said town, and to authorize them to levy and collect additional taxes therein.

8. Mr. Irwin presented the petition of Ann Aingel, widow of William Aingel, deceased, praying the passage of a law to authorize the sale of a negro slave devised to her during life by her deceased husband, with a view to invest the proceeds in another or other slaves—said slave to be subject to the devise contained in said decedent's will.

9. Mr. Rucker presented the petition of Mary Harris, executrix of Robert Harris deceased, and her securities, praying that a law may pass to authorize her to remove the slaves allotted to her as dower in her deceased husband's estate, to the state of Alabama, where she proposes to remove.

10. Mr. Hardy presented the petition of James Smith, of Barren county, praying legislative permission for the erection of one or more gates across the main road leading from Harrodsburg in the direction of Nashville.

11. Mr. G. Calhoun presented the petition of Louisa Darling, praying a divorce from her husband, Henry Darling.

12. Mr. J. T. Morehead presented the petition of Frances Baugh, praying a divorce from her husband, James Baugh.

13. M. Brown presented the petition of Nancy Garnett, praying the passage of a law to authorize a sale by commissioners of a tract of land claimed and owned by her husband, a lunatic, for the support and maintenance of his family.

14. Mr. Allen (of Henry) presented the remonstrance of sundry citizens of Oldham county, against the petition of sundry other citizens of said county, praying the removal of the seat of justice from Westport to Lagrange, or against the passage of any law authorizing the citizens of said county to vote for the location of the seat of Justice.

15. Mr. Owsley presented the petition of sundry citizens of Cumberland, Wayne and Russell counties, praying for the formation of a new county out of a part of each of said counties.

16. Mr. Wright presented the petition of sundry citizens of Lincoln county, praying that a law may pass to authorize the appointment of an additional justice of the peace and constable for said county, to reside at Crab Orchard.

17. Mr. Barlow presented the petition of sundry citizens of Monroe county, praying that a law may pass to change the place of voting in Hall's precinct in said county, to the house of William Sims.

18. Mr. Burns presented the petition of sundry citizens of Morgan county, praying for the establishment of an election precinct therein, according to the boundary proposed by them.

19. Mr. Oglesby presented the petition of the guardians of the infant children of John Renigen, deceased, praying the passage of a law to authorize the sale of the interest of said infants in and to a tract of land containing two acres, including a mill seat.

20. Mr. Barlow presented the petition of the administrator and guardian of the infant heirs of John Bland deceased, praying that a law may pass, authorizing him to sell and convey the real estate of said infants.

21. Mr. Irwin presented the petition of sundry citizens of Russellville, praying for the passage of a law authorizing the sale of one of the streets of said town.

22. Mr. Hardy presented the petition of William Logan of Barren county, praying that a law may pass, to compel the officers of the 45th regiment militia, to receive and pay his claims against said regiment.

23. Mr. Guthrie presented the petition of Edward M. Holden, praying that a law may pass, authorizing and requiring the officers of the first regiment militia, to receive his list of delinquents, and give him credit for the amount thereof.

Which petitions and remonstrances were severally received, read and referred; the 1st, 5th, 10th, 14th, 15th, 17th and 18th to the committee of Propositions and Grievances; the 2d, 3d, 7th, 9th, 13th, 16th, 19th and 20th, to the committee for Courts of Justice; the 4th and 22d, to the committee of Claims; the 6th, 11th and 12th, to the committee of Religion; the 8th and 21st, to a select committee of Messrs. Irwin, Hise, Williams (of Simpson) and C. S. Morehead, giving said committees leave to report by bill or otherwise; and the 23d to the committee on Military Affairs.

Mr. Burns presented the petition of sundry citizens of the counties of Lawrence, Greenup, Morgan and Floyd, praying the formation of a new county out of parts of each of said counties; but the notices required by the act of Assembly and rules of the House not accompanying said petition, the same was rejected.

Leave was given to bring in the following bills:

On the motion of Mr. Smith—1. A bill further to regulate the Court of Appeals, and for other purposes.

On the motion of Mr. Combs—2. A bill to amend an act, entitled "An act to incorporate the Lexington and Frankfort Turnpike or Rail Road Company."

On the motion of Mr. Williams (of Wayne)—3. A bill to increase the jurisdiction of Justices of the Peace of this Commonwealth, to one hundred dollars.

On the motion of Mr. Beall—4. A bill to amend the duelling laws.

On the motion of Mr. Walker—5. A bill to enlarge the Constable's district of the town of Scottville, in Allen county.

On the motion of Mr. C. S. Morehead—6. A bill for the benefit of Temple and Sally West.

On the motion of Mr. Tibbatts—7. A bill to amend an act, entitled "An act vesting jurisdiction in the Circuit Courts, to au-

thorize the sale of the real estate of infants in certain cases, approved February 3, 1813."

On the motion of Mr. Allen (of Green)—8. A bill to repeal the law allowing pay for slaves executed.

On the motion of Mr. Butler—9. A bill authorizing Justices of the Peace to make orders and issue dedimuses for taking depositions out of the State, to be read upon trials pending before them.

On the motion of Mr. Owsley—10. A bill to enlarge the Constable's district, including the town of Burksville.

On the motion of Mr. Butler—11. A bill requiring that the laws of this Commonwealth shall be periodically digested, and for other purposes.

Messrs. Smith, Chambers, Beall and Forrest, were appointed a committee to prepare and bring in the first; Messrs. Combs, White and Lewright, the second; Messrs. Williams (of Wayne,) James, Irwin and C. S. Morehead, the third; Messrs. Beall, Cox, G. W. Johnston and Shannon, the fourth; Messrs. Walker, Shanks and J. T. Morehead, the fifth; Messrs. C. S. Morehead, Venable and Harlan, the sixth; Messrs. Tibbatts, J. Calhoun and Guthrie, the seventh; Messrs. W. B. Allen, Venable and Williams (of Wayne,) the eighth; Messrs. Butler, Johnston (of Shelby) and Shannon, the ninth; Messrs. Owsley, J. Calhoun and Williams (of Wayne,) the tenth; and Messrs. Butler, C. S. Morehead and G. W. Johnston, the eleventh.

Mr. Hise moved for leave to introduce a bill to lessen the amount of the salaries of the Circuit Judges, and other officers of the Commonwealth; and the question being taken on granting leave to bring in said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wilcoxon and Hise, were as follows, viz.

YEAS—Messrs. B. Allen, Barlow, Beaseman, Beall, Bruce, Burns, Burton, Cassidy, Chambers, Coleuan, Crow, Daniel, Dougherty, Durham, Elliott, Fisher, Forrest, Griffith, Hardy, Harlan, Harris, Harrison, Head, Heady, Hill, Hise, Hughes, Irwin, James, H. Jones, Kennedy, Kouns, Long, McBrayer, McDonald, Mize, Morris, Murphy, Oglesby, Owsley, Penn. Porter, Preston, Ray, Rice, Roberts, Rodes, Sisk, Tomlinson, Walker, Wheeler, Wilcoxon, S. Williams, W. C. Wilson, Woolfolk, Worthington, Wright and Yates—58.

NAYS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Baily, Beauchamp, Brown, Butler, G. Calhoun, Combs, Cox, Declary, Field, Guthrie, Hawes, Hays, Jonas, Johnston, J. H. Jones, Lewright, C. S. Morehead, J. T. Morehead, Parker, Robertson, Shanks, Shannon, Taylor, Thomas, Tibbatts, True, Venable, G. White, W. Williams, W. J. Williams and E. J. Wilson—33.

Ordered, That Messrs. Hise, Tomlinson and Forrest be appointed a committee to prepare and bring in said bill.

Mr. Jonas moved for leave to bring in a bill to repeal the duelling laws of this Commonwealth; and the question being taken on granting leave to introduce said bill, it was decided in the negative, and so the said motion was disagreed to.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Anderson—1. A bill to provide for the appointment of trustees to the Lancaster Seminary.

By Mr. Ray—2. A bill to continue in force an act for the benefit of Headright and Tellico settlers and for other purposes.

By Mr. Tibbatts—3. A bill to allow the Independent Bank at Newport, further time to settle its concerns.

By Mr. Beaseman—4. A bill to enlarge the constable's bounds on Beaver creek in Harrison county.

By Mr. Williams (of Simpson)—5. A bill to amend an act entitled, an act to amend the act appropriating fines and forfeitures for the purpose of promoting education.

By Mr. Williams (of Wayne)—6. A bill to authorize Jacob Back, administrator of Thomas Collins, deceased, to sell so much of the decedent's land as will pay the debts due and owing from said estate.

By Mr. Beall—7. A bill to incorporate the Female Literary and Benevolent Institution of Nazareth, near Bardstown.

By Mr. Forrest—8. A bill to incorporate the Female Literary and Benevolent Institution of Loretto, in Washington county.

By Mr. Guthrie—9. A bill to provide for turnpiking the principal roads in this Commonwealth.

By Mr. Walker—10. A bill to enlarge the constable's district of Scottsville in Allen county.

By Mr. Heady—11. A bill to make an appropriation to build a bridge across Salt river, at the town of Taylorsville.

By Mr. Irwin—12. A bill for the benefit of Ann Aingell, relict of William Aingell deceased—and

By Mr. Beall—13. A bill to amend the duelling laws.

Which bills were severally received and read the first time and ordered to be read a second time.

And thereupon the rule of the house, constitutional provision and second readings of said bills having been dispensed with, the first, second, third, fourth, fifth, tenth, twelfth and thirteenth (the third having been amended at the clerk's table,) were severally ordered to be engrossed and read a third time; the sixth was committed to the committee for courts of justice; the seventh and eighth to the committee on education; and the ninth and eleventh to the committee on internal improvements.

And thereupon the rule of the House, constitutional provision and third reading of the first, second, third, fourth, fifth, tenth, twelfth, and thirteenth bills having been dispensed with and the same being engrossed:

Resolved, That the said bills do pass; that the titles of the first, second, fourth, fifth, tenth, twelfth and thirteenth be as aforesaid, and that of the third be amended to read "an act to allow the Independent Banks of this Commonwealth further time to settle their concerns."

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

Mr. Butler read and laid on the table the following joint resolution, viz:

Whereas Amos Kendall and Albert G. Meriwether were, during the last session of the Legislature of Kentucky, duly elected Public Printers for the Commonwealth, under the style and firm of Amos Kendall and Albert G. Meriwether; and since that time Amos Kendall has removed out of the said Commonwealth, and accepted an office "of trust and profit, under the United States." Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That by the said Kendall having so removed out of this Commonwealth, and accepted the aforesaid office of trust and profit, the office of Public Printer for the Commonwealth has become vacant, and ought to be filled.

Resolved, That the Senate and House of Representatives will, on the _____ day of _____ proceed by joint ballot to elect a Public Printer for the Commonwealth, to continue in office during the unexpired term for which the said Kendall, & Co. were elected.

Resolved, That _____ be appointed a committee to procure the services of a competent Printer or Printers, to execute the duties of the office of Public Printer, until one shall have been duly elected.

Mr. Hise moved the following resolution:

Resolved, That the committee of Courts of Justice be instructed to inquire into the expediency of so modifying an act entitled "An act to reduce into one, the Execution laws of this State, as to exempt the securities on delivery bonds from any liability for a greater amount than the value of the property levied on; and for the delivery of which only, they make themselves responsible.

Which being twice read, was adopted.

Mr. Beaseman moved the following resolution:

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of opening and establishing a State Road from Lexington to the nearest point on the Ohio River, by way of Leesburg, Cynthiana and Claysville; and report by bill or otherwise.

Which being twice read, was adopted.

Mr. Anderson moved the following resolution, viz:

Resolved, That the proprietors of newspapers in Frankfort be permitted to report the proceedings of this body, and to afford

them the necessary facilities, that each have a place assigned for a reporter.

Which being twice read, was adopted.

Mr. Combs moved the following resolutions, viz:

Resolved, That the thanks of this House are due to the gentlemen composing the building committee of the Capitol, for the handsome and appropriate manner in which they have caused this Hall to be finished and furnished.

Resolved, That the doorkeeper be directed to invite the gentlemen composing said committee to seats within the bar of the House during the present session.

Which being twice read, was adopted.

Mr. Irwin moved the following resolution:

Resolved, That so much of the Governor's Message as refers to the Penitentiary, be referred to a select committee, and that they report by bill or otherwise.

Which being twice read was adopted; and Messrs. Irwin, Walker, Parks, Robertson, Hise, Fisher and Wilson (of Fayette) appointed a committee pursuant thereto.

The Speaker laid before the house a letter from the Auditor of public accounts, covering his annual report, accompanied by sundry documents, exhibiting the state of that office for the last year ending on the tenth day of October last, which are in the following words:

AUDITOR'S OFFICE, KY.

Frankfort, 9th December, 1829.

DEAR SIR—Please lay before the House over which you preside, the documents accompanying this, from No. 1 to 9, inclusive, and oblige

Yours respectfully,

PORTER CLAY, *Aud. Pub. Accounts.*

J. J. CRITTENDEN, Esq. *Speaker of the House of Representatives.*

No. 1.

A statement of monies received and paid at the Treasury, for the year ending on and including the 10th day of October, 1829, to-wit:

For Bank Stock Fund, to-wit: On lands granted under the acts of 1795, 6 and 1800, denominated headright lands,	\$652 87
Ditto, under the acts of 1815, 20 and 25, denominated Land Warrants,	1,935 10
Non-Residents lands: Taxes received,	2,587 97
Warrants to be laid on forfeited lands: Sale of warrants,	2,102 41
Warrants to confirm titles to forfeited lands: Sale of warrants,	30
Lands west Cumberland River: Sale of warrants to be laid on lands in the State of Tennessee, between Walker's line and 36° 30' north, under act of Assembly, passed 1824, and the amendatory acts thereto,	16
Lands east Cumberland River: Ditto,	143
	8 65

For Revenue: Amount collected by Sheriffs and paid into		
the Treasury, for the year	1822,	\$ 192 25
Ditto,	Ditto,	462 58
Ditto,	Ditto,	1,917 71
Ditto,	Ditto,	58,035 67
Ditto,	Ditto,	787 84—61,396 05
For Revenue collected by Clerks: Taxes received		
by Clerks of the Circuit and County Courts,		
on law process, deeds, seals, &c. also taxes		
received by the Clerk of the Court of Ap-		
peals and Clerk of the General Court,	\$10,527 92	
Fees received by the Register Land-Office,	937 36	
Ditto, by the Secretary of State,	29 45—11,494 73	
Bank of the Commonwealth of Kentucky: For the nett pro-		
ceeds of said institution received as revenue,		23,116 75
Lands west of Tennessee River: Sale of lands,		23,196 15
Miscellaneous Receipts: Redemption of residents lands for-		
feited to the State, &c.		76 44
Treasurer Town of Mayfield: Sale of Lots,		48 95
Attornies: Salary overdrawn,		20
Bank of Kentucky for Stock: Amount received for distribu-		
tion of stock,		29,835
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Total amount received by the Treasurer for the year ending		
on and including the 10th day of October, 1829,	\$154,065 80	
Paid same time: Warrants reported to have been		
paid by the Treasurer,	\$147,709 78	
Stock subscribed in the Bank of the Common-		
wealth of Kentucky,	29,835	
Military Certificates received in payment of head-		
right lands,	28 54	
<hr/>		
Total sum paid by the Treasurer,	\$177,573 32	
To which add the balance due from the Common-		
wealth of Kentucky on the 10th day of Oc-		
tober, 1828,	30,958 09	
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Making a sum of	\$208,531 41	
From which deduct the amount of the above receipts,	154,065 80	
<hr/>		
Leaving a balance due from the Commonwealth of Ken-		
tucky, on the 10th day of October, 1829, of		54,465 61
There still remains in the Treasury, in specie,		790 60
Ditto, Ditto, Illinois money,		20

No. 2.

A statement of warrants drawn by the Auditor of Public Accounts, on the Treasurer, from the 11th day of October, 1828, to the 10th day of October, 1829, inclusive, shewing the amount drawn for each source of expenditure, and the amount of warrants paid and unpaid same time, viz:

Jailors; Attendance on Court, furnishing fuel, &c.	\$2,440 98	
Committing and releasing criminals,	124 55	
Dieting criminals,	3,241 39	
Ironing criminals,	2	
Jailors guarding criminals,	23 25	—\$5,832 17
Executive offices: Auditor's office,	766 90	
Treasurer's office,	246 09	
Register's office,	586 45	
Secretary's office,	404 52	-----2,003 96
Distributing Acts and Journals Dec. Session, 1828,		291 75
Public Communications: By Governor and Secretary,	147 88	
Auditor public accounts,	198 91	
Adjutant General,	493 12	
Quarter Master General,	93 40	-----933 31
Internal Improvements: Pay of hands, furnishing provisions, &c.		1,094 70
Criminal prosecutions: For the services of guards,	\$2,446 95	
Constables conveying criminals to jail,	121 26	
Ditto, apprehending criminals for felony,	1,233	
Ditto, summoning witnesses for Commonwealth in felonious cases,	270 31	
Ditto, whipping criminals by order of Court,	60 13	
Witnesses' attendance in behalf of the Commonwealth,	2,301 79	
Attendance of Veniremen,	5,436	
Sheriffs' apprehending criminals for felony,	296	
Ditto, summoning witnesses for Commonwealth in felonious cases,	422 36	
Ditto, summoning veniremen,	443 50	
Ditto, conveying criminals to the Penitentiary,	895 68	
Ditto, whipping criminals by order of Court,	18 11	
Ditto, executing process for contempt,	332 33	
Ditto, summoning juries in cases of Idiots,	118 02	
Ditto, executing criminals,	10 42	
Ditto, conveying criminals to jail,	194 15	
Elisors summoning veniremen,	3	
Ditto, Ditto, witnesses,	21	
Ditto, attending Court,	14	
Coroners summoning veniremen,	1 50	
Ditto, attending court,	5 00	-----14,679 72
Contingent expenses: Repairs of Public property,	105 54	
Storage, &c. on Public arms,	98 94	
Fees of Sergeant Court of Appeals, including his attendance on the Court of Appeals and General Court,	544 07	

Fees of Tipstaff for Ditto,	228	
Salary of Receiver of public monies west of Tennessee River,	200	
Stationary &c. furnished Ditto.	25	62
Witnesses attending Court of Appeals,	34	24
Stationary furnished Adjutant General,	14	
Packing laws and materials furnished for same,	54	87
Office rent to Clerk Court of Appeals,	50	00
Salaries: of the Judiciary,	16,929	15
Executive,	7,314	65
Attornies: Salary of same,		4,292
Military expenditures: Pay of Brigade Inspectors,	235	
Witnesses,	27	86
Lunatics: Support of Idiots,		8,640
Decisions Court of Appeals: Balance of 4th volume,	974	
In advance of 5th ditto,	350	
Clerks services. Ex-officio services,	3,300	
Commissioners books,	2,793	15
Record books furnished,	2,098	22
Presses furnished,	616	96
Kentucky Institution for support of the Deaf and Dumb: Indigent pupils,		1,650
Money refunded: Taxes twice paid,	15	27
Taxes improperly paid,	3	75
Money paid into the Treasury for the benefit of the Attorney General and Clerk of the General Court,	216	54
Lunatic Asylum: Balance of appropriation December session, 1827, for support of said Institution,	1,000	
Appropriation December session, 1828, for ditto,	6,200	
Ditto, For building an additional wing,	3,500	
Ditto, Ditto, a wall,	1,200	
Legislature, December session, 1828: Pay of members,		17,868
Sheriffs' comparing polls: For Governor and Lieutenant Governor,	203	95
Senators,	23	02
Congressmen,	94	52
Electors,	1,557	58
Appropriations December session, 1828:		
To John Ash,	132	
James Crawford,	50	
Reuben, a coloured man,	10	
Robert Clarke,	15	
William A. Gorham,	43	
Adam C. Keenon,	312	62
Tunstall Quarles,	251	05
William Wood,	550	09
Wight and Robson,	407	22

24551

Sally Watson,	15	
John M. McCalla,	560	
Morgan B. Chinn,	15	
Joel Scott,	287	05
Morrison and Taylor,	21	28
W. W. Sharp,	61	25
Richard Taylor,	182	
Nathaniel Reynolds,	50	
James Stone,	12	50
Hezekiah Smallwood,	53	50
Benjamin R. Pollard,	260	
Braxton, a colored man,	10	
John Breathitt,	262	60
Anthony Crockett,	271	
Henry Wingate,	234	
C. and J. Samuel,	428	83
James Wight,	143	03
Joe, a colored man,	10	
G. J. Johnson,	260	
Gervas E. Russell	132	
Harry Mordecai,	15	50
Littleberry Batchelor,	234	
Harry Mordecai and others,	11	
F. B. Trimble,	10	
Appropriation for rebuilding the Capitol,	20,000	
Jno. H. Tyler and Tho. Grifly,	200	
Jacob H. Holeman,	2,905	37
James M'Kinny and John Vickers,	90	
Edmund H. Taylor,	34	62
A. Kendall and Co.	1,200	
Appropriation to committees to visit Lexington and Danville,	42	
James Stonestreet,	560	
Wade and Stout,	102	18
John Woods,	156	89
Roger Devine,	25	
Jno. Snyder,	45	33
Samuel Payne,	100	
James Shannon,	4	
Charles Hutchison,	144	50
William F. Miller,	80	75
James Honaker, &c. commissioners of the road leading from Mountsterling to the Virginia line by way of Prestonsburg,	995	
Hawkins and Brizendine,	10	50—32,066 66
Sheriffs for revenue of 1827: Revenue overpaid,		320 77
Sheriffs for revenue of 1826: Revenue overpaid,		101 33
Slaves executed: Hung by order of Warren Circuit Court,	412	
Ditto, Bourbon,	389	—801

Debts receivable,	7,127 83
Tax on Bank Stock,	1,105 06
Clerks for Taxes,	3,778 82
Loans to the Penitentiary,	58,766 10
Treasurer Town of Columbus,	577 80

Total amount of debts due to Government on the 10th day of October, 1829, \$ 84,153 41

Bank Stock: Amount of Stock owned by the State in the Bank of Kentucky on the 10th day of October, 1829,	238,680
Ditto in the Bank of the Commonwealth of Kentucky, same date,	542,558 68
Total amount of Stock owned by the State,	\$781,238 63

No. 4.

A statement of Debts due from Government on the 10th day of October 1829, and for which the Treasury is bound for the payment on the same day, under the existing laws, to-wit:

Sheriffs for revenue 1813: Revenue overpaid,	8 32
Ditto, 1822, ditto,	1 02
Attornies for 1819,	86 96
Purchasers of Non-residents lands, Town of Columbus,	250 54
Warrants unpaid,	1,506 10
Attornies, salaries,	2,797 76
Salaries, Executive and Judiciary,	1,427 47
Treasurer Town of Waidsborough,	5,827 68
	05

Total amount of debts due from Government on the 10th day of October, 1829, \$11,905 90

No. 5.

A statement shewing the debits and credits of the Revenue of 1827, due from Sheriffs during the year ending on and including the 10th day of October, 1829, to-wit:

DEBITS.

Balance on the books 10th Oct. 1828,	\$69,146 06
Additional lists filed,	844 21
Costs charged,	17
Warrants issued for accounts overpaid,	320 77

Total charged, 70,328 04

CREDITS.

By amount paid Treasurer,	\$58,035 67	
Wolves killed and credited,	1,309 50	
Commission for collecting,	5,114 37	
Delinquents, exonerations, forfeited lands and errors credited,	5,138 51	
	<hr/>	
Total credits,		\$69,598 05
		<hr/>
Balance due Government on the 10th day of Octo- ber, 1829, as per statement No. 3,		\$ 729 99

No. 6.

A statement shewing the debits and credits of the accounts of Clerks, for the collection of law process, deeds, seals, &c. for the year ending on and including the 10th day of October, 1829, to-wit:

DEBITS.

Balance due on the 10th day of Octo- ber, 1828,	\$ 5,010 54	
Accounts rendered and charged,	10,550 80	
Costs charged,	192 63	
	<hr/>	
Total charged,		\$15,753 97

CREDITS.

By amount paid Treasurer,	\$11,494 73	
Commission for collecting,	480 42	
	<hr/>	
Total credits,		\$11, 5 15
		<hr/>
Balance due Government on the 10th day of Octo- ber, 1829, as per statement No. 3,		\$ 3,778 82

No. 7.

A statement shewing the probable amount of expenditures of the Government for the year ending on and including the 10th day of October, 1830, to-wit:

Jailors attending Circuit Courts, &c.	\$7,500
Executive offices, for fuel, stationary, &c.	2,300
Public Printers, for advertising Non-residents lands,	150
Distributing Acts and Journals Dec. session 1829,	300
Public communications,	1,000
Criminal prosecutions,	16,000
Contingent expences,	2,000
For the amount of the salaries of the officers of the Executive and Judiciary departments, Attorney General and Attornies for the Commonwealth,	30,000

Military expenditures,	300
Lunatics and Idiots,	9,000
Decisions Court of Appeals,	3,000
For the ex-officio services of Clerks, record books, &c.	9,000
Kentucky Institution for the tuition of the Deaf and Dumb,	2,000
Money refunded, taxes twice paid, &c.	600
Lunatic Asylum,	6,000
Sheriffs comparing polls,	600
Legislature, December session, 1829, and all expenses incident thereto, supposing the Legislature to sit seven weeks,	40,000
For the execution of Slaves,	2,000
Purchasers of Non-residents lands,	200
Commissioners of Tax: For taking in lists of taxable property,	8,000
Printing and binding Acts and Journals of December session, 1829,	3,000
Drawback on vacant lands,	125
Sheriffs for revenue overpaid,	300
	<hr/>
Total amount expected to be expended,	\$143,375

No. 8.

A statement of the amount of monies which is expected to be paid into the Treasury during the year ending on and including the 10th day of October, 1830, subject to the expences of Government, to wit:

The gross amount of revenue collectable by Sheriffs for the year 1828, and made payable on the 1st Monday in December next, is \$73,806 55

The loss on the collection of the revenue by the Sheriffs, including commissions, delinquents, exonerations and compensation for killing Wolves, is presumed will be about 18 per cent amounting to, 13,285 17

Leaving, \$60,521 38

Of which said revenue was paid previous to the 10th day of October, 1829, 737 84

The delinquents on the part of Sheriffs this year will be 2,000 -----2,737 84

Which leaves a sum which may be expected with some certainty to be collected and paid into the Treasury the ensuing year, of \$ 57,733 54

From Clerks for taxes on law process, deeds, seals, &c. including the amount expected to be received from the Secretary of State and Register of the Land office, will be about	12,000
For Miscellaneous receipts,	50
For taxes on Non-residents' lands	2,400
From the Bank of the Commonwealth of Kentucky	10,000
From Bank Stock fund, viz: vacant and headright lands,	2,400
For sale of lands east and west of Cumberland river,	150
For sale of lands west Tennessee river,	18,000
From forfeited lands and warrants to confirm titles to forfeited lands,	50
Of the balances stated to be due Government as in statement No. 3, will be collected of the revenue due from Sheriffs about	1,500
Ditto, from Clerks,	2,000
Ditto, as due from Treasurer Town of Columbus,	577 80
Of the other balances nothing is expected to be collected.	

Total amount expected to be received,	\$106,861 34
Balance due from Government as per statement No. 1	54,465 61
Ditto, ditto, No. 4	11,905 90
Amount of Statement, No. 7	143,375 00
Making	\$209,746 51
From which deduct the amount expected to be received as stated above,	106,861 34
Leaving a balance due from Government on the 10th day of October, 1830, of	\$102,885 17

No. 9.

A statement exhibiting the amount of Revenue receivable by the Clerks and Sheriffs of each county, during the year ending on and including the 10th day of October, 1829, and the amount of expenditures of each county same time, also, shewing the difference between the revenue and expenditures.

Counties.	Amount of Revenue.	Amount of expenditures.	Nett revenue	Expenses exceeding Rev.
Adair	845 93	714 44	131 49	
Allen	624 43	444 31	180 12	
Anderson	531 67	295 43	236 24	
Bracken	588 70	220 20	368 50	
Bullitt	560 37	584		23 63

Counties.	Amount of revenue.	Amount of expenditures.	Nett revenue.	Expenses exceeding Rev.
Bourbon	4342 94	1445 32	2897 62	
Bath	1022 30	609 25	414 05	
Barren	1550 86	572 94	977 92	
Breckenridge	936 74	645 30	291 44	
Boone	975 22	463 81	511 41	
Butler	206 58	274 66		68 08
Campbell	906 61	524 85	383 73	
Caldwell	874 37	727 29	147 08	
Cumberland	672 38	827 05		154 67
Christian	2000 33	917 64	1082 69	
Clarke	2181 07	772 05	1409 02	
Clay	272 47	548 02		268 55
Calloway	214 35	822 49		608 14
Casey	328 01	246 56	81 45	
Daviess	421 08	372 72	48 38	
Edmundson	304 60	367 56		62 96
Estill	330 10	279 40	50 70	
Fleming	1470 34	713 97	756 37	
Franklin	1740 31	971 13	769 18	
Fayette	5357 98	2306 13	3051 85	
Floyd	267 81	478 35		210 54
Garrard,	1457 04	576 16	880 88	
Green,	1652 62	1084 31	568 31	
Greenup	540 84	818 42		277 58
Gallatin	615 11	245 73	366 38	
Graves	92 03	519 76		427 73
Grant	263 41	378 36		114 95
Grayson	259 63	411 70		152 07
Harrison	1899 01	945 48	753 53	
Hardin	1077 37	660 69	416 77	
Hart	425 89	604 38		178 49
Henderson	741 17	293 44	447 73	
Hancock		94 28		94 28
Hopkins	582 11	277 63	304 48	
Henry	1302 90	792 07	507 83	
Hickman	202 28	1026 82		824 54
Harlan	166 54	754 63		588 09
Jefferson	4071 44	3608 57	462 87	
Jessamine	1412 77	624 69	788 08	
Knox	310 84	408 65		97 81
Lincoln	1690 27	1007 66	682 61	
Lawrence	139 83	626 01		486 18
Lewis	376 55	382 66		6 41
Livingston	684 90	616 20	68 70	

Counties.	Amount of re- venue.	Amount of ex- penditures.	Nett revenue.	Expenses ex- ceeding Rev.
Logan	1740 11	837 15	902 96	
Laurel	136 29	476 91		340 62
Mason	2534 25	1701 58	832 67	
Morgan	132 26	219 25		86 90
Monroe	426 41	587 63		161 27
Mercer	2287 26	892 47	1394 79	
Madison	2562 54	1502 39	1060 15	
M'Cracken	43 62	124 23		80 61
Meade	438 78	348 81	96 97	
Montgomery	1352 35	431 97	921 38	
Muhlenburg	518 62	971		452 38
Nelson	2038 55	864 81	1173 74	
Nicholas	1170 44	561 30	609 14	
Oldham	1070 73	449 35	621 38	
Ohio	392 59	510 11		117 52
Owen	581 52	381 94	199 58	
Perry	142 03	673 16		531 13
Pike	111 94	398 57		286 63
Pendleton	377 45	253 23	124 22	
Pulaski	606 69	815 72		209 03
Rockcastle	263 73	648 34		384 61
Russell	307 87	287 68	20 19	
Shelby	3006 78	1017 19	1988 59	
Scott	2233 29	1704 58	528 91	
Simpson	762 89	422 44	340 38	
Spencer	902 48	602 54	299 94	
Trigg	607 77	287 88	319 89	
Todd	1095 91	400 35	695 56	
Union	549 69	312 02	237 67	
Warren	1407 93	1291 35	116 58	
Woodford	2448 12	899 20	1548 92	
Whitley	184 49	754 84		569 85
Washington	1575 35	1096 76	478 59	
Wayne	600 54	671 07		70 58
	83909 30	57295 53	34549 64	7935 84

PORTER CLAY, Auditor Public Accounts.

Frankfort, October 10, 1829.

The Speaker laid before the House a letter from Henry Wingate and Thomas S. Page, commissioners appointed at the last session of the General Assembly to settle the accounts of Joel

Scott, keeper of the Penitentiary institution, enclosing their report of their settlement, which is in the following words:

Frankfort, December 9, 1829.

DEAR SIR—Please lay before the House over which you preside, the enclosed statement, and oblige,

Yours respectfully,

HENRY WINGATE,
THOS. S. PAGE,
Commissioners.

JOHN J. CRITTENDEN, Esq. *Speaker of the House of Representatives.*

By an act of the General Assembly, approved 29th January, 1829, appointing the undersigned commissioners for, and in behalf of the Commonwealth of Kentucky, to examine and settle the accounts between Joel Scott, Keeper of the Penitentiary, and the said Commonwealth, from the time said Scott assumed the management of said institution, up to the time of their examination and settlement. The commissioners appointed by said act would state, that it became necessary to fix upon some period to have the accounts closed, to enable them to make out a statement in accordance to said act; consequently, on the first day of February, 1829, the books were closed and the balances made up to that time; a statement of which is herewith reported, viz:

Debts due 1st February, 1829,	\$13,620 48	
Raw materials on hand same time,	2,676 47	
Manufactured articles on hand same time,	2,939 74	
	<hr/>	
Amounting to,		\$19,286 69
Credits standing on the books same time,	1,805 95	
Unsettled accounts due to individuals same time,	6,445 53	
Advances made by the Keeper up to same time,	5,486 48	—13,737 95
		<hr/>
Leaving,		5,548 73
From which deduct bad and doubtful debts about		945
		<hr/>
Leaving a balance due, 1st February, 1829, to the institution, of specie		\$4,603 78
Since the above settlement was made, the keeper has settled with the commissioners for rebuilding the State House, by which they fall in his debt \$9,756 32, Commonwealth's paper, equal to specie,	8,536 78	

Also, for orders not brought into this settlement, \$3,240, Commonwealth's paper, equal to

2,835

Making,

\$11,371 78

Leaving a nett balance due the institution on the 1st day of February, 1829, (as all the above named work was done previous to that date,) of \$15,975 51

Out of the above named settlement made with the commissioners for rebuilding the State House, the keeper has settled with the Auditor Public Accounts, the balance due from him for a loan received from the State, at the time he commenced his duties as keeper aforesaid, together with the interest due, amounting to \$6,131, Commonwealth's paper, which will be accounted for in a subsequent settlement with him.

We have examined the improvements of machinery, &c. that the keeper has made in the institution, since he has had the same under his management and control, and we calculate its value to be worth, (previous to the 1st February, 1829,) at the least calculation, \$5,700; the increase in the tools to be worth \$1,000. We have not taken into consideration in this statement, the provisions or fuel, of which there is a large supply.

We would remark, that the settlement of which the foregoing is a statement, has been made as accurate as it can be done, the most of which has been settled after the usual business hours.

It is impossible that a full and final settlement can be made with the keeper, while the institution is in operation, owing to the great number of unsettled accounts, a great part of which are carried on in the way of barter; to make a final settlement so as to ascertain the true and exact situation of the institution, it will be necessary that all business should cease and the accounts closed.

In conclusion, we beg leave to say, that we found the books of the institution in good order and the accounts correctly stated.

All of which is respectfully submitted,

H. WINGATE.

THOS. S. PAGE.

Frankfort, December 1, 1829.

Commissioners.

Mr. Kennedy moved the following resolution:

Resolved, That the committee on Internal Improvements, be instructed to inquire into the expediency of providing by law for raising and continuing a fund in specie, from the wealth of the State, to be expressly applied under the direction of the Legislature, to the promotion of Internal Improvements within this Commonwealth; and that said committee have leave to report by bill or otherwise.

Which being twice read, was adopted.

Mr. Fisher moved the following resolution, viz:

Resolved, That a committee be appointed to inquire whether the practice of demanding wharfage from the boats laden with the produce of this country, as established by certain towns on the Mississippi, be not contrary to the spirit of the constitution of the United States, and unnecessarily oppressive to the commerce of this and the adjacent States; and that said committee be instructed to report their opinions thereon to this House.

Which being twice read, was adopted, and Messrs. Fisher, Beaseman, Tibbatts and White appointed a committee pursuant thereto.

Mr. James moved the following resolution, viz:

Resolved, That the committee on Internal Improvements, be instructed to inquire into the expediency and propriety of appropriating a portion of the proceeds of the sales of vacant and unappropriated lands west of the Tennessee river, to the improvement of the roads and navigable streams in said district.

Which being twice read, was adopted.

The following bills from the Senate were severally read the first time and ordered to be read a second time, viz:

1. An act to change the time of holding the Spencer circuit and county courts.

2. An act authorizing certain advertisements to be inserted in the Kentucky Intelligencer printed in Flemingsburg.

And thereupon the rule of the house, constitutional provision and second and third readings of the second bill having been dispensed with,

Resolved, That the said bill do pass and that the title thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof.

The Speaker laid before the House, a letter from Charles Humphreys, Esq. soliciting the patronage of the Legislature to a work entitled "a compendium of the common law of England" published by him; which was received, read, and referred to the committee for courts of justice.

And then the House adjourned.

THURSDAY, DECEMBER 10, 1829.

A Message from the Senate, by Mr. Stonestreet, their Secretary:

Mr. Speaker—The Senate have passed a bill which originated in this house, entitled, an act to enlarge the Capital stock of the Louisville and Portland Canal Company.

And then he withdrew.

The Speaker laid before the House, a letter from the Treasurer of this Commonwealth, inclosing his annual report, exhibiting an account of the monies received and paid at the Treasury

during the last year, commencing on the 11th day of October, 1828, and ending on the 10th day of October, 1829, which was read as follows, viz:

TREASURY OFFICE,
Frankfort, 10th December, 1829.

SIR:—You will please lay before the honorable house over which you preside, the enclosed statement, which gives a concise view of the situation of the Treasury Department, from the 11th day of October, 1828, to the 10th day of October, 1829, inclusive.

I have the honor to be, very respectfully,

Your obedient servant,

JAMES DAVIDSON, *Treasurer.*

HON. JOHN J. CRITTENDEN.

No. 1.

A statement showing the amount of monies received by the Treasurer, (under their appropriate heads,) from the 11th day of October, 1828, to the 10th day of October, 1829, inclusive.

BANK STOCK FUND.

From Headright lands,	\$652 87	
“ vacant lands,	1,935 10	—2,587 97
“ lands west of Cumberland river		143
“ lands east of Cumberland river,		3 35
“ Sheriffs for revenue,		61,396 05
“ Clerks for taxes on law process,	10,527 92	
“ Register of the land office,	937 36	
“ Secretary of State,	29 45	—11,494 73
“ non-residents' lands,		2,102 41
“ miscellaneous receipts,		76 44
“ lands west of Tennessee river,		23,196 15
“ warrants to be laid on forfeited lands,		30
“ warrants to confirm titles to forfeited lands,		10
“ Treasurer of the town of Mayfield,		48 95
“ allowances over drawn,		20
“ Bank of Kentucky for Stock,		29,835
“ Bank of the Commonwealth of Kentucky, (net profits,)		23,116 75
		<hr/>
		\$154,065 80

No. 2.

A statement showing the amount of monies paid by the Treasurer, (under their appropriate heads,) from the 11th day of October, 1828, to the 10th day of October, 1829, inclusive.

Salaries of the Executive and Judicial departments,	\$24,311 80
Appropriations, December Session, 1827,	5 62
Appropriations, December Session, 1828,	32,066 66
Lunatics,	8,647 97

Criminal prosecutions,	14,660 91
Jailors,	5,859 78
Clerks services,	8,751 33
Sheriffs for revenue,	422 10
Sheriffs for comparing polls,	1,879 07
Commissioners of tax,	6,707 23
Executive offices,	4,982 96
Contingent expenditures,	1,359 66
Decisions of the Court of Appeals,	1,324
Military Expenditures,	262 86
Distribution of the Acts and Journals,	291 75
Slaves executed,	801
Lunatic Asylum,	11,900
Kentucky Institution for the tuition of the Deaf and Dumb,	1,650 66
Money refunded,	235 56
Purchasers of non-residents' lands,	10 94
Public communications,	933 31
Attornies for the Commonwealth,	4,292 23
Internal Improvement,	1,094 70
Electors,	395 66
Legislature, December Session, 1828,	17,362 02
	<hr/>
Total amount of warrants,	147,709 78
Amount paid on military warrants,	23 54
Amount of stock subscribed in the Bank of the Commonwealth,	29,835.
Balance due from the Commonwealth, 10th Oc- tober, 1828,	30,958 09
	<hr/>
	208,531 41
From which deduct amount of monies received as per statement No. 1.	154,065 80
	<hr/>
Leaving a balance due from the Commonwealth, 10th October, 1829,	54,465 61
Specie remaining in the Treasury,	790 60
There yet remains in the Treasury, Illinois money,	20 00

JAMES DAVIDSON, *Treasurer.*

Treasury Office, 10th Oct. 1829.

Ordered, That the public printer forthwith print 150 copies of said Report for the use of the members of this house.

1. Mr. Declary presented the petition of Willis Ashby, praying compensation for his services for guarding the Jail of Jefferson county.

2. Mr. Yates presented the petition of sundry citizens of Grayson and Ohio counties, praying that Big Cany Creek may be declared a navigable stream, and that three hundred dollars may be appropriated to aid in clearing out said stream.

3. Mr. Williams (of Wayne) presented the Remonstrance of sundry citizens of Wayne county, against the formation of a new county out of the counties of Wayne and Cumberland.

4. Mr. Calhoun (of Breckinridge) presented the petition of sundry citizens of Ohio county, praying that a part of said county, may be added to the county of Hancock.

5. Also the Remonstrance of sundry other citizens of Breckinridge and Ohio county, against such addition.

6. Mr. Robertson presented the petition of William Twidwell and Sarah Twidwell, his wife, praying that a law may pass divorcing them.

7. Mr. Boyd presented the petition of sundry citizens of Calloway county, praying that a law may pass granting to Goodrum Marshall of said county, a quarter section of land west of the Tennessee river in said county.

8. Mr. Rucker presented the petition of sundry citizens of Caldwell county, praying that a law may pass making James Robinson compensation for keeping a lunatic.

9. Mr. Dougherty presented the petition of sundry citizens of Port-William in Gallatin county, praying that a law may pass to compel the titheable persons residing therein, to work on the streets and alleys of said town.

10. Mr. Boyd presented the petition of Dovey Pipkin, praying a divorce from her husband, William Pipkin.

11. Mr. Burns presented the petition of sundry citizens of Lawrence county, praying an amendment of the existing laws requiring the owners and occupiers of Salt works to keep them enclosed.

12. Mr. Dougherty presented the petition of Davis Latty, praying that a law may pass empowering him to join the co-heirs of his children in making a deed for a certain tract of land, sold during the life of his wife, but not conveyed.

13. Mr. Ray presented the petition of Eleanor Joslin, praying that a law may pass authorizing her as guardian to her infant children, to convey a small tract of land.

Which were severally received, the reading dispensed with, and referred, the 1st, 7th, and 8th, to the committee of claims; the 2nd and 9th, to the committee on Internal Improvements; the 3d, 4th, and 13th, to the committee of propositions and grievances; the 6th, and 10th, to the committee of religion; the 11th to the committee of courts of justice; the 12th, to a select committee, consisting of Messrs. Dougherty, Brown, Guthrie and Tibbatts.

Mr. Durham presented the petition of sundry citizens of Green county, praying the establishment of an election precinct in said county; but the notice required by the act of Assembly not accompanying said petition, the same was rejected.

Mr. Jones presented the petition of sundry citizens of Fleming county, praying the establishment of an election precinct in said county; but the notice required by the act of Assembly not accompanying said petition, the same was rejected.

Leave was given to bring in the following bills:

On the motion of Mr. Guthrie--1. A bill for the benefit of the public schools of the city of Louisville.

On the motion of Mr. G. Calhoun--2. A bill curtailing the jurisdiction of the General court of this Commonwealth.

On the motion of Mr. DeClary--3. A bill to amend the Militia laws of this Commonwealth.

On the motion of Mr. W. B. Allen--4. A bill to amend an act entitled "an act to reduce into one, the several acts or parts of acts concerning limitations of actions."

On the motion of Mr. Guthrie--5. A bill more effectually to secure Shipwrights and others in their claims against Steamboats and other vessels navigating the western waters.

On the motion of Mr. Preston--6. A bill for the purpose of Turnpiking the road from Louisville to the mouth of Salt river, on the McAdams plan.

On the motion of Mr. Mize--7. A bill for the improvement of the road from Mountsterling in Montgomery county, by way of Irvine in Estill county, Manchester in Clay, and to intersect the wilderness state road.

On the motion of Mr. S. Williams--8. A bill to call in the Branch Banks of this Commonwealth.

On the motion of Mr. White--9. A bill to alter the mode of summoning petit juries.

On the motion of Mr. W. B. Allen--10. A bill to authorize the county court of Green county, so to regulate the constable's districts in said county, as to reduce the number of constables to eight.

On the motion of Mr. Harlan--11. A bill for the benefit of Samuel Scott of Todd county.

On the motion of Mr. Roberts--12. A bill requiring public Warehouse keepers, to execute bond with approved security to the county courts of their respective counties, for all property stored with them, and for other purposes.

On the motion of Mr. Anderson--13. A bill to enable the infant heirs of John Bruce, dec'd. to convey certain lands.

On the motion of Mr. Morris--14. A bill to amend the law in relation to actions of replevin.

On the motion of Mr. Combs--15. A bill for the benefit of John Byrne.

On the motion of Mr. Burns—16. A bill to compel litigants to give security for costs in land cases.

On the motion of Mr. G. Calhoun—17. A bill empowering the infant heirs of Samuel Bleight, dec'd, to make sale of their real estate in this Commonwealth.

On the motion of Mr. Crow—18. A bill appropriating a sum of money to aid the citizens of Ohio county in building a bridge across Rough Creek, at Hartford.

On the motion of Mr. Chambers—19. A bill to authorize the "Trustees of the Rittenhouse Academy" to transfer and convey the property, both real and personal, belonging to said Academy, to the "Trustees of the Kentucky Baptist Education Society," located at Georgetown, Scott county.

On the motion of Mr. Morris—20. A bill to authorize the foreclosing of mortgages by *scire facias*, &c.

On the motion of Mr. Rodes—21. A bill to erect two bridges across Rockcastle river.

On the motion of Mr. Venable—22. A bill to authorize the citizens of the town of Cadiz in Trigg county, to elect Trustees and to lessen the width of some of its streets.

On the motion of Mr. G. W. Johnson—23. A bill to authorize the Trustees of the town of Shelbyville, to sell part of a cross street in said town.

On the motion of Mr. Robertson—24. A bill to prohibit justices of the peace in this Commonwealth from receiving money on judgments by them rendered and for other purposes.

On the motion of Mr. Barlow—25. A bill to reduce the price of vacant lands in this Commonwealth, and for other purposes.

The committee on education were directed to prepare and bring in the first bill; Messrs. G. Calhoun, Roberts and Griffith the second; Messrs. Declary, Butler, Rodes, C. Morehead, J. T. Morehead and Roberts the third; Messrs. Allen (of Green) Beauchamp and Williams (of Wayne) the fourth; the committee for courts of justice the fifth, thirteenth, and sixteenth; Messrs. Preston, J. Calhoun and Wilcoxen the sixth; Messrs. Mize, Murphy, Thomas and Smith the seventh; Messrs. Williams (of Wayne) W. B. Allen and Irwin the eighth; Messrs. White, Beall, Tibbatts, J. Calhoun and Roberts the ninth; Messrs. W. Allen, Durham and Williams (of Wayne) the tenth; Messrs. Harlan, Irwin and C. Morehead the eleventh; Messrs. Roberts, G. Calhoun and Griffith the twelfth; Messrs. Morris, Coleman and Roberts the fourteenth; Messrs. Combs, E. Wilson and True the fifteenth; Messrs. G. Calhoun, Roberts and Griffith the seventeenth; Messrs. Crow, Griffith, J. Calhoun and J. T. Morehead the eighteenth; Messrs. Chambers, Penn and Hardy the nineteenth; Messrs. Morris, Combs and Coleman the twentieth; Messrs. Rodes, Jones, Smith and Declary the twenty-first; Messrs. Venable, C. Morehead and Harlan the twenty-second; Messrs. G. W. Johnson,

Shannon and Butler the twenty-third; Messrs. Robertson, W. Allen and Owsley the twenty-fourth; and Messrs. Barlow, Owsley and Walker the twenty-fifth.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie from the committee for courts of justice—1. A bill making further provision for the sale of the lands and slaves of infants.

By Mr. White—2. A bill to incorporate the Lewis Pottery company, for the purpose of manufacturing Queensware and China at Louisville.

By Mr. Combs—3. A bill to amend the act entitled "an act to incorporate the Lexington and Frankfort Turnpike or Rail-road company."

By Mr. Williams (of Wayne)—4. A bill to increase the jurisdiction of justices of the peace of this Commonwealth.

By Mr. Tibbatts—5. A bill to encourage the general diffusion of Education in this Commonwealth by the establishment of a uniform system of public schools.

By Mr. Smith—6. A bill further to regulate the Court of Appeals and for other purposes.

By Mr. Rucker—7. A bill to take the sense of the people as to the expediency and propriety of calling a convention.

By Mr. Irwin—8. A bill authorizing the sale of certain ground in the town of Russellville.

By Mr. Combs—9. A bill for the benefit of John Byrne.

By Mr. Owsley—10. A bill to enlarge the constable's district including the town of Burksville, and

By Mr. W. B. Allen—11. A bill to amend an act entitled "an act to reduce into one the several acts or parts of acts concerning limitations of actions."

Which bills were severally received and read the first time and ordered to be read a second time; and thereupon the rule of the house, constitutional provision and second reading of the 2d, 3d, 5th, 6th, 8th, 9th, and 10th bills having been dispensed with, the 2d, 8th and 10th bills (the tenth having been amended at the clerk's table) were severally ordered to be engrossed and read a third time; the 3d was committed to the committee on Internal Improvements; the 5th to the committee on education; the 6th was committed to the select committee appointed to prepare and bring in the bill; and the ninth to the committee of claims.

Ordered, That the public printer forthwith print 150 copies of the 5th bill for the use of the members of this house.

And thereupon the rule of the house, constitutional provision and third reading of the 2d, 8th and 10th bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass; that the titles of the second and eighth be as aforesaid; and that of the tenth be amended by adding thereto the words, "and for other purposes."

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

The Speaker laid before the House the annual report of Joel Scott, keeper of the Kentucky Penitentiary, which was received and referred to the committee appointed to take under consideration so much of the Governor's message as relates to that institution.

The said report is in the following words:

To the Hon. Speaker of the House of Representatives:

SIR:—In discharge of the duty committed to me as Keeper of the Penitentiary, I submit through you to the House of Representatives, the following report of the state of the institution over which I preside.

There are now ninety-one convicts confined in the penitentiary. Forty have been committed since the first day of November, 1828; thirty-one have served out their respective terms and been discharged; five have received the pardon of the Executive; and one has died. The health of the persons committed to my care, has been, during the present year, unusually good. The average of persons sick during the year, would not much exceed one per day.

The committee appointed by the Legislature to settle the accounts of the penitentiary, performed that duty on the first day of February of the present year. The report of the committee will show a profit derived from the institution of \$15,975 51, up to the first of February last, from the time it was entrusted to me, besides improvements made in the machinery, workshops, &c. which amounts to \$5,700. They estimate the increase of the tools at \$1000. This would make the total product of labors of the convicts during four years, amount to \$22,675 51. I beg leave here to observe, that I have been disappointed in the amounts of the profits, although they have far exceeded the expectations of others who have looked to the previous experiments of the institution. My disappointments have grown out of the contract with the commissioners of the State-house. The profits of the great job of nearly \$12,000, has only amounted to about \$700. The accounts of the office furnish the following exhibit of the condition of the institution:

Debts due to the institution, is	\$18,692 65
This sum, the clerk estimates will be reduced by offsets and bad debts, to	10,000
Raw materials on hand at this time,	2,650
Manufactured articles on hand at this time,	3,000
Building Commissioners certificate to Auditor for manufactured articles,	4,672 73
Building Commissioners certificate to Auditor for stone for the State-house,	9,756 32

Since the settlement and my report of last year, I have made extensive and valuable improvements in the establishment. I have altered the old block of brick cells and have made of them two large and commodious workshops, the one for carpenters and the other for weavers. In obedience to the law of last session, I have built the wall six feet higher, and in conformity with the act, have added the flat rocks and the loose stone as a covering to the wall, which makes an addition to its former height, of seven feet nine inches. At the principal gateway, I have projected forward two walls, for the purpose of making a double gate—making the extent of the wall then added, about 120 feet in length and 14 feet high. I have built 34 cells, directed by law, and divided the old ones, the expense of which improvements will be seen by reference to paper marked (B.) I have also provided a Chapel and Sabbath School room, for the convicts, and have built a shed eighty-four yards in length for the manufacture of bagging, and have in operation four bagging looms, and have also erected a hemp house within the walls. The improvements have enabled me to introduce into the institution, the following rules and regulations, which I feel bound to submit to the Legislature as a part of my report, as the economy of the establishment and its prison discipline, are subjects of the most interesting concern to the Legislature and to the community.

A system of silence is made to prevail throughout the whole institution. Conversation is not permitted among the convicts, with the exception, that a foreman of a shop is allowed to give instructions with regard to work in hand. All other communications and directions are to be from the manager who conducts the institution. For the purpose of preserving perfect order in all the operations of the establishment, the convicts are divided into several shop's crews, in which every individual is known by his number; and in proceeding to their business, their meals or their religious duties, they fall into file according to their number.

When the first bell rings in the morning, all hands rise, dress, make up their beds, sweep up their rooms, and as soon as the doors are open, the litter is swept into the alley. The convicts remain in the cells until the second bell rings; then each shop's crew fall into the ranks in order, and march in silence to their shops, and then each takes his proper place, washes and proceeds to work. Each man is required to remain at his own appointed position, and is not allowed to approach that of another without leave.

No man is to look at, or speak to visiting persons without leave; this rule is not unfrequently infringed by visitors, who we must suppose are ignorant of its existence or importance. When the bell rings for meals, each shop's crew form in single file, every man in his place according to his number, and in silence, march to table, there each takes his seat and remains still until the bell rings, then they eat in silence in the presence of a manager, and

at the ringing of the same bell, each man rises to his feet and follows his file-leader to his work. The man that marches behind going to his meal, marches before returning to his work.

When the bell rings at night, the convicts form as above mentioned and march to their cells, where each goes into his separate cell, which is reached by arrangement in order; the number of the cell corresponding with the number of the individual who fronts it in the rank. Each man is held accountable for the quantity and quality of his work according to his skill and ability, and is not allowed to commit waste, nor to suffer waste to be committed in his sight, without giving information to a manager of what he has seen. No man is allowed to go to the privy without a token. Each shop has its own token and its own privy. There is a man in each shop to bring materials and to hand tools; if he is absent, the foreman acts in his stead. When anything is wanted, the person to be supplied pulls his cord and rings the shop bell for the tender who attends to him and supplies his wants.

The cooks prepare the victuals, attend the table, wash the clothing, sweep the galleries and cut the wood for the fires. If there be any thing amiss in the preparation of the food, the convicts are enjoined to give information of it at meal time.

On Saturday, the barbers shave the heads and faces of the men; when this duty is begun by one shop's crew, all belonging to it are shaved before another is called; each individual when shaved, is required to wash and dress in clean clothes, and return to his place in the shop.

The above is an outline of the conduct prescribed to convicts during the week. Sunday is devoted to the purpose of religious instruction and in the employment of the Sabbath School. A chapel is provided for these objects, and from the time the prisoners are taken from the cells in the morning until night, (meal times excepted,) they are here engaged in religious devotion, or in learning to read, to write, and to cypher. At least one third of those sent to the penitentiary are entirely illiterate, and most of them very imperfect in the rudiments of the education imparted by common schools. The different corps of convicts are marched to the chapel on Sunday, in the order they march to their business during the week, and are placed on benches with their faces towards the wall, when under the supervision of a manager, they prosecute duties prescribed to them throughout the day. From these regulations such only are exempted as are retained in solitary confinement as a punishment for offences committed by them.

Divine service is always attended by the keeper or his assistant, and the most profound and solemn silence and attention required from the convicts. I regret to say that I have not been able to obtain as much religious instruction for the convicts as I desired. I consider the sermons and prayers of pious men, in

conjunction with the labours of the teacher of the Sabbath school, as greatly conducive to the reformation of the unhappy beings committed to my care, and I should rejoice to have it in my power to tell the Legislature, that I had been enabled to procure a preacher to perform his sacred functions in the Chapel of the Penitentiary, on every Sunday during the year. This has not been the case, and I am sorry to inform you that only twenty-nine sermons have been preached to the convicts during the last year. This has not been my fault. I have given to the teachers of the Sabbath schools, two dollars per day, and two dollars for every sermon, preached within the walls.

In conclusion, I have to say, that I solicit the attention of the General Assembly, to the management of the Institution submitted to my control. If they should find any thing in its internal arrangement or conduct, which they may consider as having contributed to make this Institution profitable, rather than a burthen to the State, or any thing in the mode of treatment of the convicts, which shall seem calculated to produce a reformation of character and prevent them from returning to the bosom of society with increased skill for the work of mischief, and embodied by association in the Penitentiary in banditti to execute their schemes—much of the praise is due, for the efforts to produce these results, should be ascribed to Mr. McIntosh, and my son John R. Scott. I have found them able and faithful assistants, every way deserving my confidence and thanks. Mr. Belt has satisfied me entirely, as clerk to the institution. He is an excellent officer and a worthy man. The guard I have found faithful and vigilant; and in conclusion, I ask and invite a visit from your honorable body, by committee and individually, as often and as early in the session, as you may find convenient. All of which, is very respectfully submitted, by

Your obedient servant,

JOEL SCOTT,

Keeper of the Ky. Penitentiary.

(B)

The Commonwealth of Kentucky, Dr. to the Ky. Penitentiary.

1829.

To 762 days work by convicts, in quarrying, hauling, loading, unloading stone, tending masons, laying stone, and pointing the cells, &c. at 62 1-2,	\$478 13
Powder furnished for blowing rock, say	3 00
35 days hauling stone for the cells, at 3 00,	105 00
200 perch of stone furnished by J. Scott, at 1 00,	200 00
486 do in the quarry, at 10 cents,	48 60
1100 bushels of lime, at 10 cents,	110 00
Extra guard one month, say	22 00
4590 feet of hewed scantling, 8 by 10 inches,	187 70

1450 do. of flooring plank, at 1 25,	18 12
2400 do. of sheeting plank, at 1 00,	24 00
750 do. of scantling, at 2 50,	18 75
Framing 24 square of rafters, at 75 cents,	18 00
Sheeting and shingling 24 square, at 1 00,	24 00
100 feet of boxing cornish, at 10 cents,	10 00
200 do plank for same, at 1 25,	2 50
401 feet of barge boards, say	4 00
50 lbs. shingling nails, at 10 cents,	5 00
40 lbs. 8 dy. and 10 dy. cut nails, at 10 cents,	4 00
34 door hinges, frames, locks, hasps & staples,	340 00
34 window grates, at 4 00,	136 00
Plastering 34 cells, at 1 00,	34 00
Making 34 births in cells, at 1 00,	34 00
Dividing 34 old cells into two apartments, at 10 00,	340 00
	<hr/>
	\$2,116 80

JOEL SCOTT, *Keeper.*

The Commonwealth of Kentucky, Dr. to the Ky. Penitentiary.
1829.

To 1191 days work by the convicts, in quarrying stone, loading and unloading wagons, tending masons, raising scaffolds, laying stone and pointing the walls, &c. at 62 1-2,	\$744 37
78 days hauling stone, at 3 00,	234 00
71 1-2 days work, (hired hands,) at 62 1-2,	44 69
Cash paid Hawkins Wickersham for blowing rock,	3 00
900 bushels of lime, at 10 cents,	90 00
Cash paid Isaac Adams foreman laying stone,	31 00
Boarding do. do. two months, say	20,00
Two extra guards, two months each, at 21 00,	84 00
To 134 perch of stone of A. Wickersham, at 37 1-2,	50 25
To 22 do. do. Taylor & do. at 50 cents,	11 00
To 1500 feet of plank for scaffold, at 1 25	18 75
To 735 perch of stone in the quarry, at 10 cents,	73 50
Blacksmith's work done for quarrying stone and mason's work, after deducting the value of the tools returned,	46 25
Wheel for hoisting rock on the wall, say	6 00
Rope for hoisting stone and scaffolding,	15 00
Outside gate, frame hinges, &c.	25 00
	<hr/>
	\$1,546 31

JOEL SCOTT, *Keeper.*

John R. Scott and John McIntosh attending the stone quarry alternately three months, McIntosh or myself was constantly superintending the building of the cells and the walls. I pay John R. Scott 400 dollars and John McIntosh 500 dollars a year, for which services I hope a reasonable allowance will be made.

JOEL SCOTT, *Keeper.*

Personally appeared before me, a justice of the peace in and for the county of Franklin, Joel Scott, and made oath that the within accounts for raising the penitentiary wall and building the thirty-four cells, is correct, to the best of his knowledge and belief. Given under my hand, this 10th day of December, 1829.

JAMES SHANNON, J. P.

Ordered, That the public printer forthwith print 150 copies of said report, for the use of the members of this House.

The Speaker laid before the House, a report from the commissioners appointed to superintend the rebuilding of the Capitol, enclosing their accounts of money expended, &c. which was read in the following words:

Frankfort Dec. 10, 1829.

To the Speaker of the House of Representatives:

Sir:—I have the honor to transmit herewith, statements marked A. and B. showing the amount of receipts and disbursements made by the Commissioners for rebuilding the Capitol, since their last annual report.

Exhibit A. shows an unexpended balance in the hands of the Commissioners, on the 5th instant, amounting to the sum of seven thousand and two dollars, fifty three cents, in Commonwealth's Bank notes, to be accounted for. This sum will be nearly, if not entirely absorbed in the completion of the Portico and plastering of the building.

Exhibit B. shows, that of the appropriation of five thousand dollars, in materials and manufactured articles in the Penitentiary house, the Commissioners have drawn orders to the amount of four thousand, six hundred and seventy two dollars, seventy eight cents, (which orders have been cancelled, and a certificate given the Keeper in substitution,) leaving a balance of that appropriation subject to their control, of three hundred and twenty seven dollars, twenty two cents. They have also settled the account of the keeper of the Penitentiary house, for the preparation of stone for the principal superstructure of the building, and other work performed, amounting to the sum of nine thousand, seven hundred and fifty six dollars and thirty two cents, which has been certified to the Auditor of public accounts.

The Commissioners respectfully request the appointment of a committee, to examine their accounts in detail.

I have the honor to be, respectfully, your obedient servant,

P. DUDLEY,

Chairman, Commissioners for rebuilding Capitol.

[A.]

The Commissioners for rebuilding the State Capitol.

DEBTOR.

1828—Dec. 20.

To balance on hand this day, to be accounted for as per last report,	\$11,934 59
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1829—Aug. 6.

" Amount received from the Treasury, under the act of 1828-9.	20,000
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Dolls.	31,934 59
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1829—Nov. 30.

To balance to be accounted for,	\$7,002 53
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CREDIT.

1829—Nov. 30.

By amount of disbursements since the 20th day of Dec. 1828, to 30th Nov. 1829.	\$24,932 06
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By Balance on hand,	7,002 53
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Dolls.	31,934 59
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[B.]

The Commissioners for rebuilding the State Capitol.

DEBTOR.

1828—Dec. 22.

To balance of appropriation, for manufactured articles to be accounted for,	\$1,746 56
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1829—Dec. 5.

To balance to be accounted for,	\$327 22
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CREDIT.

1829—Dec. 5.

By amount of disbursements since the 22d day of Dec. 1828, to the 5th day of Dec. 1829,	\$1,419 34
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By balance,	327 22
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Dolls.	1,746 56
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Bank of the Commonwealth of Ky. }

FRANKFORT, 9th DEC. 1829. }

The Commissioners for rebuilding the Capitol, have this day on deposit in Bank, seven thousand and two dollars fifty three cents.

EDMUND H. TAYLOR, *Cashier.*

Mr. Preston read and laid on the table, the following joint resolution:

Whereas, Kendall and Meriwether were elected at the last session of the General Assembly, public printers; and as doubts have arisen in respect to said persons continuing to perform the business in consequence of A. Kendall having been appointed 4th Auditor; and as advances have been made them and a part of the work done, be it

Resolved, by the General Assembly, That F. P. Blair and A. G. Meriwether, go on and finish said business, for the time said Kendall and Meriwether were appointed.

Mr. Jonas moved the following resolution, viz:

Whereas it is represented to this House, that a bill which passed the Legislature, and was approved February 8th, 1829, entitled, "An act establishing a Turnpike on the road leading from Georgetown to Cincinnati, and for other purposes," is a violation of the constitution, oppressive on the people living in the counties through which said road passes, and an imposition on the public at large; be it therefore

Resolved, That the committee for courts of justice, be requested to examine the same, and report by bill or otherwise.

Which being twice read, was adopted.

Mr. J. T. Morehead read and laid on the table the following joint resolution, viz:

Resolved, by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on the first day of January next, they will adjourn without day.

Mr. Hawes moved the following resolution:

Resolved, That the committee on religion be instructed to report unfavourably of petitions and bills for divorces, in all cases in which the existing law provides a judicial remedy.

Which being twice read, was adopted.

A bill from the Senate, entitled "an act to change the time of holding the Spencer circuit and county courts, was read a second time and ordered to be read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof.

Mr. Coleman read and laid on the table, the following joint resolution:

Resolved, by the Senate and House of Representatives of the Commonwealth of Kentucky, That our Senators in Congress, be instructed, and our Representatives be requested to use their exertions to obtain the passage of a law by the Congress of the United States, appropriating a part of the unsold lands belonging to the

United States, for the purpose of promoting education in Kentucky, by the establishment of public schools.

Resolved, That the Governor of this Commonwealth, be, and he is hereby requested to cause to be transmitted to each of our Senators and Representatives in the Congress of the United States, a copy of these resolutions.

Mr. Rucker read and laid on the table, the following joint resolution:

Whereas, by the munificence of the State of Kentucky, a Hospital has been erected at Smithland, on the Ohio river, at great expense, for the reception of the sick and disabled navigators of the western waters: *And whereas*, it appears from the report of the trustees, in 1828, of said institution, that the citizens of the States of Ohio, Indiana, Tennessee, Pennsylvania and Virginia, are deeply interested in the support and maintenance of said institution, as citizens of some of these States have already participated and received its charitable benefits; and there being no permanent fund appropriated for its support and maintenance, it is deemed that said States would feel disposed to contribute something by way of raising a permanent fund for the support and maintenance of said institution. It may be proper here to remark, that Smithland is a flourishing little town at the mouth of the Cumberland, the head of steamboat navigation, where at low water, (which is usually in the summer months,) there are annually a number of steamboats compelled to stop at this point, with numerous passengers from all parts of the Union, and particularly from the above named States; among whom are frequently many sick, without means to provide for their helpless condition, and dependant alone upon the charity of the citizens of Smithland, (whose benevolence may be said to be unequalled,) and the aid of said Hospital. *Wherefore*,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Legislatures of the several States of Ohio, Indiana, Pennsylvania, Virginia and Tennessee, severally be requested to take this subject under consideration, and if to them it shall seem proper, make some endowment in aid of a permanent support to said institution, under such restrictions and regulations as to them severally may seem proper.

Be it further resolved, That the Governor of this State be requested to transmit to the respective Governors of the before enumerated States, a copy of each of the foregoing preambles and resolutions.

Mr. Tibbatts read and laid on the table, the following joint resolution:

Resolved by the Senate and House of Representatives, That a joint committee, to be composed of _____ members of the Senate, and _____ members of the House of Representatives, be

appointed to examine into, and report the present situation of Transylvania University, and the Lunatic Asylum, at Lexington.

Mr. Bailey moved the following resolution:

Whereas, it appears from official documents submitted to this House, that the revenue of the Commonwealth is inadequate to the relief of the Treasury, from existing pecuniary embarrassment, and to defray the ordinary expenses of Government, for remedy whereof,

Resolved, That the committee of ways and means be, and they are hereby instructed to inquire into the expediency of increasing the tax on the property of this Commonwealth, and on such other things (not property,) as are at present liable to taxation; also the expediency of adding additional items to the existing catalogue of property, &c. now subject to taxation, for revenue purposes, and report the same to this House, by bill or otherwise.

Which being twice read, was laid on the table.

Mr. Smith moved the following resolution:

Resolved, That the committee for courts of justice are instructed to report a bill, abolishing the common school fund, and appropriate the same for the purposes of revenue.

Which being twice read, was disagreed to.

The House took up for consideration, the joint resolution offered on yesterday, by Mr. Butler, relative to the office of public printer, which having been amended, was adopted in the following words:

Whereas, Amos Kendall and Albert G. Meriwether, were elected printers for the Commonwealth of Kentucky, for the year 1829, under the style and firm of "Kendall and Meriwether," and the said Amos Kendall having removed from the state of Kentucky, and having also, accepted an office of trust and profit under the United States: Therefore,

Resolved, That the office of the said Amos Kendall, as one of the printers for this Commonwealth, has become vacant; and that the said Albert G. Meriwether, the other printer, be required to proceed with the execution of his duties, as sole printer for the Commonwealth of Kentucky, for the time for which he was elected; and that all acts done by said Meriwether, since the removal and acceptance of the office aforesaid, by A. Kendall, are hereby declared valid.

Ordered, That Mr. Anderson carry the said resolution to the Senate and request their concurrence.

Mr. James, from the joint committee of enrollments, reported that the committee had examined an enrolled bill, entitled, "An act authorising certain advertisements to be inserted in the Kentucky Intelligencer printed in Flemingsburg," and had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. James inform the Senate thereof.

And then the House adjourned.

FRIDAY, DECEMBER 11, 1829.

Mr. James Love, a member returned to serve in this House, from the counties of Knox and Harlan, appeared, produced a certificate of his election and of his having taken the oaths required by the constitution of the United States, and the constitution and laws of this State, and took his seat.

A message from the Senate, by Mr. Pollard, assistant clerk:

Mr. Speaker.—The Senate have passed a bill entitled “an act for the benefit of Jesse Corum,” in which bill, they request the concurrence of this House.

And then he withdrew.

1. Mr. Wilcoxon presented the petition of sundry citizens of Bullitt county, praying the passage of a law to authorize the appointment of an additional justice of the peace for said county.
2. Mr. Porter presented the petition of Sarah Talbot, praying a divorce from her husband, Joseph J. Talbot.
3. Also, the petition of James Talbot, praying a divorce from his wife Margaret, late Margaret Craig.
4. Mr. Venable presented the petition of sundry citizens of Trigg county, praying that a law may pass to enlarge the boundaries of the Grace precinct, in said county.
5. Mr. Hayes presented the petition of William Crim and Frances his wife, praying a divorce from each other.
6. Mr. Burns presented the petition of sundry citizens of the county of Lawrence, praying that a law may pass providing for the appointment of an additional justice of the peace and constable for said county.
7. Mr. Smith presented the petition of Isham Adams, William Sutton, Thomas Worrice, Uriah Sutton, Moses Adams and Sylvester Adams, representing that they stand indicted in the Lincoln circuit court on a charge of larceny, and from the prejudices existing against them, they believe they cannot in said county obtain a fair and impartial trial; and praying a change of venue.
8. Mr. Burns presented the petition of sundry citizens of Morgan county, praying an alteration in the boundary line between the counties of Morgan and Floyd.
9. Mr. Beauchamp presented the petition of sundry citizens of Hart county, praying that a sum of money may be appropriated, for the future support and maintenance of a female idiot, the daughter of Nathaniel Reynolds of Hart county.
10. Mr. Rucker presented the petition of Charles H. Webb, praying that the land on which he now lives may be excluded from the corporation of the town of Princeton.
11. Mr. Venable presented the petition of sundry citizens of Trigg county, praying that the Muddy fork of Little River may be declared a navigable stream.

Which petitions were severally received, the reading thereof dispensed with, and referred, the 1st, to a select committee of Messrs. Wilcoxon, Beall and Porter; the 2d, 3d and 5th, to the committee on religion; the 4th and 8th, to the committee of propositions and grievances; the 6th and 7th, to the committee of courts of justice; the 9th, to the committee of claims; the 10th, to a select committee of Messrs. Rucker, Hughes, C. Morehead, and James; and the 11th to the committee on internal improvements.

Mr. J. Calhoun, from the committee of propositions and grievances, made the following report:

1. The committee of propositions and grievances, to whom was referred the petition of sundry citizens of Monroe county, praying that a law may pass to change the place of voting in an election precinct, in said county, to Joseph Hall's, have had the same under consideration, and have come to the following conclusion thereupon:

Resolved, That the said petition be rejected.

2. The committee of propositions and grievances, to whom was referred the petition of James Smith, of Barren county, praying that a law may pass, permitting him to erect gates across a public road, have had the same under consideration, and have come to the following conclusion thereupon:

Resolved, That the said petition be rejected.

3. The committee of propositions and grievances, to whom was referred the petition of sundry citizens of Hardin county, praying that a law may pass, changing the place of voting in a precinct in said county, to Stephen Southern's, or David Greenewalt's, have had the same under consideration, and have come to the following conclusion thereupon:

Resolved, That the said petition is reasonable.

4. The committee of propositions and grievances, to whom was referred the petition of sundry citizens of Morgan county, praying that a law may pass, establishing an election precinct at the house of Joseph Adkins, have had the same under consideration, and have come to the following conclusion thereupon:

Resolved, That the said petition is reasonable.

Which being twice read, was concurred in.

Ordered, That the said committee prepare and bring in bills pursuant to the third and fourth resolutions.

Mr. Guthrie, from the committee for courts of justice, made the following report:

The committee of courts of justice have, agreeably to the order of the House, had under consideration the petition of Mary Harris, and have come to the following resolution:

Resolved, That said petition be rejected.

2. They have also had under consideration, the proposition of Charles Humphreys, relative to his Compendium of the Common Law, and have come to the following resolution:

Resolved, That owing to the embarrassed situation of the Treasury, that it is inexpedient for the State to purchase the work at this time.

3. They have also had under consideration, the petition of the administrator of John Bland, and have come to the following resolution thereupon:

Resolved, That said petition be rejected.

4. They have also had under consideration, the petition of the heirs of John Romper, and have come to the following resolution thereupon:

Resolved, That said petition be rejected.

5. They have also had under consideration, the petition of John F. Henry, administrator of R. P. Henry, and have come to the following resolution thereon:

Resolved, That said petition be rejected.

6. They have also had under consideration, the petition of Louisa McCoy and others, and have come to the following resolution thereon:

Resolved, That said petition be rejected.

7. They have also had under consideration, the petition of Nancy Garnett, and have come to the following resolution:

Resolved, That said petition be rejected.

Which being twice read, was concurred in.

Mr. Hardy, from the committee of religion, made the following report:

The committee of religion have, according to order, had under their consideration, the petition of Mary Drysdale, praying to be divorced from her husband Reuben Drysdale, and have come to the following resolution thereon:

Resolved, That said petition is reasonable.

Which being twice read, was concurred in.

Ordered, That the said committee, prepare and bring in a bill pursuant to said resolution.

Leave was given to bring in the following bills:

On the motion of Mr. Durham—1. A bill to establish an election precinct in Green county.

On the motion of Mr. Rucker—2. A bill to amend the law concerning trials of the right of property.

On the motion of Mr. Dougherty—3. A bill to provide pay for Grand Jurors.

On the motion of Mr. Williams (of Wayne,)—4. A bill to repeal the law authorizing county courts to make allowances to constables and other officers, in cases of breaches of the peace.

On the motion of Mr. Anderson—5. A bill more effectually to prevent the importation of slaves into this Commonwealth, as merchandize.

On the motion of Mr. Burns—6. A bill to amend the law, suppressing riots, routs and breaches of the peace.

On the motion of Mr. Coleman—7. A bill to amend the election laws of this State.

On the motion of Mr. Rucker—8. A bill to amend the law, concerning the dower of widows and orphans within this Commonwealth.

On the motion of Mr. Oglesby—9. A bill to establish the towns of Floydsburg and Boonsboro' in Oldham county.

On the motion of Mr. Rice—10. A bill to increase the liability of principals, to their securities.

On the motion of Mr. Rucker—11. A bill to authorize the opening of a public road from Prince's ferry, on the Ohio river, by way of Centreville, Eddyville, Canton, to the Tennessee line, in the direction to the town of Dover.

On the motion of Mr. W. B. Allen—12. A bill to make an appropriation for clearing out Little Barren river, and

On the motion of Mr. Venable—13. A bill to authorize an appropriation for the purpose of removing some of the principal obstructions to the navigation of Little river.

Messrs. Durham, W. B. Allen and Barlow, were appointed a committee to prepare and bring in the first; Messrs. Rucker, Hughes, Wilcoxon, James and Cox, the second; Messrs. Dougherty, B. Allen and Long, the third; Messrs. Williams (of Wayne,) Venable, Irwin, McBrayer and Hise, the fourth; Messrs. Anderson, Guthrie, Worthington, Love and Jonas, the fifth; Messrs. Burns, Anderson and Hawes, the sixth; Messrs. Coleman, Beaseman, Morris and Parks, the seventh; Messrs. Rucker, Hughes, Boyd, James and C. Morehead, the eighth; Messrs. Oglesby, White and Guthrie, the ninth; Messrs. Rice, Burns and Tomlinson, the tenth; Messrs. Rucker, Hughes, Boyd and Venable, the eleventh; and the committee on internal improvements, the twelfth and thirteenth.

Mr. Wilcoxon moved to obtain leave, to bring in a bill to reduce the county levies of this Commonwealth; and the question being taken, on granting leave to bring in said bill, it was decided in the negative, and so the said motion was disagreed to.

Mr. Guthrie, from the committee for courts of justice, to whom was referred, a bill to authorize Jacob Back, administrator of Thomas Collins, deceased, to sell the land of said decedent, reported the same without amendment.

The question was put on engrossing the said bill, and reading it a third time, which was decided in the negative, and so the said bill was rejected.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. J. Calhoun, from the committee of propositions and grievances—1. A bill to change the place of voting in an election precinct in Hardin county, from John Buckles' to Stephen Southern's, and for other purposes.

By Mr. Guthrie, from the committee for courts of justice—2. A bill to allow an additional justice of the peace and constable to Lincoln county.

By Mr. Heady, from the committee on military affairs—3. A bill for the benefit of Edward M. Holden.

By C. S. Morehead—4. A bill for the benefit of Temple and Sally West.

By Mr. Declary—5. A bill to amend an act, entitled "an act to incorporate the Ohio Bridge company."

By Mr. Chambers—6. A bill to authorize the trustees of the Rittenhouse Academy to transfer and convey the property, both real and personal, belonging to said Academy, to the trustees of the Baptist Education Society, located at Georgetown, Scott county.

By Mr. Morris—7. A bill to authorize the foreclosing of mortgages, by *scire facias*.

By Mr. Thomas—8. A bill for the relief of James Mitchell.

By Mr. W. B. Allen—9. A bill to authorize the county court of Green county, so to regulate the constables' districts in said county, as to reduce the number to eight.

By Mr. Venable—10. A bill concerning the town of Cadiz.

By Mr. Morris—11. A bill to amend and regulate the action of replevin.

By Mr. Harlan—12. A bill for the benefit of Samuel Scott.

By Mr. Durham—13. A bill to establish an election precinct in Green county, and

By Mr. Guthrie, from the committee for courts of justice—14. A bill to establish the sixteenth Judicial district.

Which bills were severally received and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of the 1st, 2d, 3d, 4th, 5th, 7th, 8th, 9th, 10th, 11th, 13th and 14th bills having been dispensed with, the first was committed to a select committee of Messrs. G. Calhoon, Roberts, Crow and Rice; the second, to a select committee of Messrs. McDonald, Wright and Lewright; the 3d, 4th, 10th and 13th, were severally ordered to be engrossed and read a third time; the 5th, was committed to the committee on internal improvements; the 7th, 9th, 11th and 14th, to the committee for courts of justice; and the 8th to the committee of claims.

And thereupon the rule of the House, constitutional provision and third reading of the 3d, 4th, 10th and 13th bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate, and request their concurrence.

Mr. Tibbatts moved the following resolution:

Resolved by the House of Representatives, That the Governor of this Commonwealth be requested to transmit, as early as practicable, to the Governor of the State of Ohio, a copy of an act of the last Legislature, entitled "an act to incorporate the Kentucky and Ohio Bridge Company;" and to the Governor of Indiana, a copy of an act of the last Legislature, entitled "an act to incorporate the Ohio Bridge Company;" accompanied by a request that the Legislatures of those States may respectively confirm said several acts of incorporation; and a copy of one of each of said acts to the President of the United States, with a request that he would lay the same before the Congress of the United States for their ratification.

Which being twice read, was laid on the table.

Mr. Beaseman moved the following resolution, viz:

Resolved, That the committee on internal improvements be instructed to report as early as practicable, on so much of the Governor's message and the documents referred to, as relates to the tariff and internal improvements.

Which being twice read, was disagreed to.

Mr. Irwin moved the following resolution:

Resolved, That the committee on internal improvements be requested to inquire into the expediency of making an appropriation for the improvement of Muddy river.

Which being twice read, was adopted.

Mr. Jonas read and laid on the table, the following joint resolution:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the President and Directors of the Bank of the Commonwealth of Kentucky, shall, on or before the third Monday in February next, in the presence of the Governor, Auditor and Treasurer, proceed to count and destroy, by burning, _____ dollars of the notes of said bank, that have been drawn from circulation; and that they select such of said notes, for that purpose, as have been most defaced.

The Speaker laid before the House, a letter from the President of the Bank of the Commonwealth, inclosing his annual report, accompanied by sundry tables, &c. exhibiting the state of that institution, which were received, and referred to the committee of ways and means.

The following bills were severally read a second time, viz:

1. A bill making further provision for the sale of the lands and slaves of infants.
2. A bill to increase the jurisdiction of justices of the peace of this Commonwealth.
3. A bill to amend an act, entitled "an act to reduce into one, the several acts, or parts of acts concerning limitations of actions."

The first was committed to a select committee of Messrs. Tibbatts, J. Calhoun, Coleman, Guthrie and Butler; the second, to a

select committee of Messrs Williams (of Wayne,) Daniel, Irwin, Forrest and James; and the third, to the committee for courts of justice.

A bill to take the sense of the people as to the propriety of calling a convention, was read a second time.

It was then moved and seconded, to postpone the further consideration of said bill, until the first day of June next; and the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Beaseman and Rucker, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Baily, Brown, Butler, J. Calhoun, Combs, Cox, Elliott, Field, Forrest, Griffith, Harlan, Harris, Harrison, Hawes, Head, Heady, Johnson, Kennedy, Love, McBrayer, McDonald, Mize, C. S. Morehead, Murphy, Parker, Penn, Shannon, Smith, Taylor, True, G. W. Williams, E. J. Wilson, Woolfolk, Worthington, Wright and Yates—39.

NAYS—Messrs. B. Allen, Barlow, Beaseman, Beall, Beauchamp, Bruce, Burns, Burton, G. Calhoun, Cassidy, Chambers, Coleman, Crow, Daniel, Declary, Dougherty, Durham, Fisher, Guthrie, Hardy, Hays, Hill, Hise, Hughes, Irwin, James, Jonas, J. H. Jones, H. Jones, Kouns, Lewright, Long, J. T. Morehead, Morris, Oglesby, Owsley, Parks, Porter, Preston, Ray, Rice, Roberts, Robertson, Rodes, Rucker, Shanks, Short, Sisk, Thomas, Tibbatts, Tomlinson, Venable, Walker, Wheeler, White, Wilcoxon, S. Williams, W. J. Williams and W. C. Wilson—59.

The said bill was then ordered to be engrossed and read a third time to-morrow.

A bill from the Senate, entitled "an act for the benefit of Jesse Corum," was read the first time and ordered to be read a second time.

And then the House adjourned.

SATURDAY, DECEMBER 12, 1829.

1. Mr. Tibbatts presented the petition of Judah Varner, praying a divorce from her husband John Varner: And,

2. Mr. Burns presented the petition of Patsy Rice, praying a divorce from her husband, George Rice.

Which petitions were severally received, read and referred to the committee of religion.

A message from the Senate by Mr. Pollard, their assistant Clerk:

Mr. Speaker—The Senate have passed a resolution and bills which originated in this house, of the following titles:

A resolution relative to the office of public printer; an act to amend an act entitled "an act appropriating fines and forfeitures for the purposes of promoting education;" an act authorizing the

sale of certain ground in the town of Russellville; an act authorizing the Lexington White Lead Manufacturing Company, to close and dispose of said establishment; an act to provide for the appointment of trustees to the Lancaster Seminary; an act for the benefit of Ann Angel, relict of William Angel, deceased; and an act to incorporate the Lewis Pottery Company, for the purpose of manufacturing Queensware and China at Louisville—with amendments to the three latter bills: and they have passed a bill entitled “an act to amend the laws in relation to crimes committed on the Ohio, Mississippi and Big Sandy rivers;” in which amendments and bill, they request the concurrence of this house.

A message from the Senate by Mr. Wingate:

Mr. Speaker—The Senate have received official information, that the Governor did, on the 11th inst. approve and sign an enrolled bill, which originated in the Senate, entitled “an act authorising certain advertisements to be inserted in the Kentucky Intelligencer, printed in Flemingsburg.”

Mr. J. Calhoun, from the committee of propositions and grievances, made the following report:

The committee of propositions and grievances, to whom was referred the petition of Eleanor Joslin, praying that a law may pass enabling her and the guardians of her infant children, to convey a tract of land belonging to her infant children, and which she, under a mistake of her duty as administratrix of her deceased husband has bound herself to convey, have had the same under consideration, and beg leave to report, that in the opinion of your committee, the question whether the Legislature have the power, by a private act, to divest an individual of a right which has accrued to him in lands, either by conveyance or the general law of descents, is not free from serious doubts; and in regard to the policy of the Legislature interfering in such cases, your committee are of opinion, that the cases should be (clearly made out to be) of peculiar hardship to justify it. No such hardship appearing in the present case, they have come to the following resolution:

Resolved, That the said petition be rejected.

Also, the petition of sundry citizens of Hart county, praying an appropriation to enable Nathaniel Reynolds to support an idiot child, and have come to the following resolution:

Resolved, That the said petition be rejected.

Which being twice read, was concurred in.

Mr. Hardy, from the committee of religion, made the following report:

The committee of religion have, according to order, had under consideration sundry petitions to them referred, and have come to resolutions thereon, to-wit:

Resolved, That the petition of Louisa Darling be rejected.

Resolved, That the petition of Frances Baugh be rejected.

Which being twice read was concurred in.

Mr. J. T. Morehead, from the committee on internal improvements, to whom was referred, a bill to amend an act entitled, "an act to incorporate the Lexington and Frankfort Turnpike or Rail Road Company," reported the same with amendments, which being twice read were concurred in.

Ordered, That the said bill as amended be engrossed and read a third time on Monday next.

Mr. Morehead from the same committee, to whom was referred a bill to amend an act entitled, "an act to incorporate the Ohio Bridge Company," reported the same with an amendment, which being twice read, was concurred in.

Ordered, That the said bill be laid on the table.

Mr. Morehead from the same committee, to whom was referred, a bill to make an appropriation to build a bridge across Salt River at the town of Taylorsville, reported the same without amendment.

Ordered, That the said bill be re-committed to the committee appointed to prepare and bring in the same.

Mr. Williams (of Wayne,) from the select committee to whom was referred, a bill to increase the jurisdiction of justices of the peace in this Commonwealth, reported the same with an amendment, which being twice read, was disagreed to.

Ordered, That the said bill be re-committed to a select committee of Messrs. Kennedy, G. W. Williams, Taylor, Parker, Harrison, Bailey and Williams of Wayne.

Mr. G. Calhoun, from the select committee to whom was referred a bill to change the place of voting in an election precinct in Hardin county from John Buckles' to Stephen Southern's, and for other purposes, reported the same with amendments; which being severally twice read, were concurred in, and the said bill as amended, ordered to be engrossed and read a third time. And thereupon the rule of the house, constitutional provision and third reading of said bill having been dispensed with, and the same having been engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the Clerk carry the said bill to the Senate and request their concurrence.

Mr. Anderson, from the select committee to whom was referred, a bill to allow an additional justice of the peace and constable to Lincoln county, reported the same with several amendments; which being twice read, were concurred in, and the said bill as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the house, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be amended to read "an act to allow additional justices of the peace and constables to certain counties."

Ordered, That the Clerk carry the said bill to the Senate and request their concurrence.

Mr. Tibbatts, from the select committee to whom was referred, a bill making further provision for the sale of the lands and slaves of infants, reported the same with an amendment; which being twice read was concurred in.

Ordered, That the said bill be engrossed and read a third time on Monday next.

Mr. Barlow, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz: An act to enlarge the capital stock of the Louisville and Portland Canal Company; and an act to change the time of holding the Spencer Circuit and County courts.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

The Speaker laid before the House, a report of the Auditor of Public Accounts, exhibiting the returns of the commissioners of tax of the several counties, of the number of children between the ages 4 and 15 years, made in pursuance of a resolution of the last General Assembly, which was read in the following words:

AUDITOR'S OFFICE, KY.

Frankfort, 12th December, 1829.

DEAR SIR:—By a resolution of the General Assembly of the Commonwealth of Kentucky, approved 29th January 1829, it was made the duty of the commissioners to be appointed for the purpose of taking in the lists of taxable property for the year 1829, to ascertain the number of children over 4 and under 15 years of age, designating the number at school in their respective counties, for the purpose of enabling the present Legislature to adopt some practical plan in relation to the commencement of a system of general education, and said commissioners were required to make out a fair list of the children as aforesaid, and certify the number to their respective county courts, who should require their clerks to transmit a copy of such certificate to the Auditor of Public Accounts, with the commissioners books, and that the Auditor be required to report the same to this General Assembly, within the first week of its session.

Upon an examination of the commissionsrs' books returned, I find only a few that contain the certificate required; other books contain the list of children only, and others, no account taken whatever.

My report therefore cannot be considered as giving a correct view of the subject, owing to the failure of proper returns not being made.

The following taken from the best information in my possession, is respectfully submitted, which you will please lay before the House over which you preside:

Counties.	No. of children between 4 and 15	No. at school.	Counties.	No. of children between 4 and 15	No. at school
Anderson,	958	316	Madison,	3588	917
Breckenridge,	1556	115	M'Cracken,	287	62
Boone,	1827		Meade,	823	207
Butler,	599	80	Muhlenburg,	1371	127
Christian,	2142	279	Nelson,	2602	962
Daviess,	1004	158	Nicholas,	2428	873
Estill,	1057	63	Ohio,	1172	75
Franklin,	1695	581	Owen,	1400	
Floyd,	1260	59	Pike,	663	18
Greenup,	1396	220	Pendleton,	1064	183
Gallatin,	1299	96	Rockcastle,	816	102
Grayson,	1045	94	Russell,	898	185
Hancock,	350	125	Shelby,	3424	1430
Harrison,	3308	1033	Scott,	2252	
Hopkins,	1582	217	Simpson,	1426	
Henry,	2592	643	Spencer,	1596	374
Lincoln,	1843	522	Trigg,	742	153
Lawrence,	1047	81	Todd,	1245	330
Livingston,	1197		Warren,	1759	
Logan,	2275	52	Woodford,	1079	
Mason,	1824		Wayne,	1975	233

PORTER CLAY, *Aud. Pub. Accounts.*

JOHN J. CRITTENDEN, *Esq. Speaker H. R.*

Ordered, That the said report be referred to the committee on education.

The Speaker laid before the House, the annual report of the Shelbyville and Louisville Turnpike Road Company, showing the amount received for tolls collected and the amount expended for extending and repairing said road for the past year, ending on the first day of October last; which was received and laid on the table.

Mr. Beaseman moved the following resolution:

Resolved, That the committee on internal improvements be instructed to inquire into the expediency of removing the obstructions in Main Licking River, from its mouth to Claysville, in Harrison county, so as to render it navigable for steamboats; and report by bill or otherwise.

Which being twice read, was adopted.

Mr. Wheeler moved the following resolution, viz:

Resolved, That the committee of ways and means be instructed to inquire into the expediency of the States' taking one hundred shares in the stock of the Louisville and Portland Canal Company; and report to this House by bill or otherwise.

Which being twice read, was adopted.

Mr. Burns moved the following resolution:

Resolved, That the committee on courts of justice, be instructed to inquire into the expediency of making County and Commonwealth's Attorneys, Conservators of the peace, within this Commonwealth.

Which being twice read, was disagreed to.

Leave was given to bring in the following bills:

On the motion of Mr. Williams (of Wayne,)—1. A bill to authorize the sheriff of Wayne, to be qualified at the march term.

On the motion of Mr. Forrest—2. A bill to change the system of working public roads, and for other purposes.

On the motion of Mr. Williams (of Bourbon,)—3. A bill to incorporate the Maysville, Paris and Lexington Turnpike company.

On the motion of Mr. Love—4. A bill further to regulate the Turnpike and wilderness state road.

On the motion of Mr. Forrest—5. A bill to build a bridge across the rolling fork of salt river, at or near New-Market, in Washington county, on the main road from Lexington to Nashville.

On the motion of Mr. Tibbatts—6. A bill to amend an act entitled "an act to incorporace the Kentucky and Ohio Bridge company."

On the motion of Mr. Jones (of Fleming,)—7. A bill to establish an election precinct in the county of Fleming.

On the motion of Mr. Long—8. A bill to reduce the number of trustees of the Newcastle Seminary, in Henry county.

On the motion of Mr. Roberts—9. A bill to establish a bridge across Nolin river, at Robert Slaughter's, in Hardin county, where the main road from Louisville to Nashville crosses.

On the motion of Mr. Beaseman—10. A bill for the benefit of Catharine Carr and her heirs.

On the motion of Mr. Beall—11. A bill to amend the laws in relation to trustees of towns.

On the motion of Mr. Preston—12. A bill to amend an act establishing a chancery term in Barren county, in October.

On the motion of Mr. H. Jones—13. A bill to amend the laws in relation to the duties of executors and administrators.

On the motion of Mr. Shanks—14. A bill to authorize the several county courts in this Commonwealth, to extend the districts of town constables beyond the town boundaries.

On the motion of Mr. Tibbatts—15. A bill to incorporate a company, to erect a bridge across Licking river, between the towns of Newport and Covington.

On the motion of Mr. Beauchamp—16. A bill to change the time of holding the Edmonson county court.

On the motion of Mr. Rucker—17. A bill for the benefit of the heirs of Stephen Thompson Mason, deceased.

On the motion of Mr. Owsley—18. A bill for the benefit of Josiah Elliot and Eliza Sexton.

On the motion of Mr. Boyd—19. A bill to establish Seminaries of learning in the counties of Calloway, Graves, Hickman and McCracken, and

On the motion of Mr. Robertson—20. A bill appropriating acres of vacant and unappropriated land in Russell county, to be placed in the hands of commissioners, and the proceeds applied to the improvement of certain roads in said county.

Messrs. Williams (of Wayne,) Hill and James, were appointed a committee to prepare and bring in the first; Messrs. Forrest, Head, Chambers, McDonald, Roberts, Guthrie and J. Morehead, the second; Messrs. G. W. Williams, Parker, Parks, Kennedy, Taylor and Combs, the third; Messrs. Love, Smith and Anderson the fourth; Messrs. Forrest, McDonald, Head and Roberts, the fifth; Messrs. Tibbatts, Guthrie, J. Calhoun and Jones, the sixth; Messrs. J. H. Jones, Cassidy and Thomas, the seventh; Messrs. Long, B. Allen and Oglesby the eighth; the committee on internal improvements, the ninth; Messrs. Beaseman, Coleman and Parks, the tenth; Messrs. Beall, Cox, Guthrie and Coleman, the eleventh; Messrs. Preston, Hardy, Barlow and J. T. Morehead, the twelfth; Messrs. H. Jones, J. Calhoun and Daniel, the thirteenth; Messrs. Shanks, J. T. Morehead, Hise and Walker, the fourteenth; Messrs. Tibbatts, Coleman and Beaseman, the fifteenth; Messrs. Beauchamp, J. Calhoun, Allen (of Green,) and Hardy, the sixteenth; Messrs. Rucker, James, Boyd and Combs, the seventeenth; Messrs. Owsley, Robertson and Smith, the eighteenth; Messrs. Boyd, James and Hughes, the nineteenth; and Messrs. Robertson, Barlow and Anderson, the twentieth.

Mr. Williams (of Wayne,) moved to obtain leave to bring in a bill to change the mode of taking in the lists of taxable property, and the question being taken on granting leave to bring in said bill, it was decided in the negative, and so the said motion was disagreed to.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie, from the committee for courts of justice—1. A bill to amend an act, entitled "an act to amend and reduce into one, the execution laws of this State, approved February 12, 1828."

2. A bill for the benefit of Shippingsport.

By Mr. J. Morehead, from the committee on internal improvements—3. A bill for the benefit of the town of Port-William, in Gallatin county.

By Mr. Hardy, from the committee of religion—4. A bill to divorce Mary Drysdale, from her husband, Reuben Drysdale.

By Mr. Forrest—5. A bill to turnpike Muldrow's bill, on the main road leading from Lexington to Nashville, and for other purposes.

By Mr. Butler—6. A bill to provide for periodically digesting the statute laws of this Commonwealth.

By Mr. Wilcoxon—7. A bill to allow an additional justice of the peace to the county of Bullitt.

By Mr. Williams (of Wayne,)—8. A bill to repeal the law authorizing the county courts of this Commonwealth, to make allowances to constables and other officers, in cases of breaches of the peace.

By Mr. Rucker—9. A bill to amend the law concerning the trial of the right of property.

By Mr. Rodes—10. A bill for the erection of two bridges across Rockcastle river.

By Mr. Robertson—11. A bill to prohibit justices of the peace in this Commonwealth, from receiving money on judgments by them rendered, and for other purposes.

By Mr. Rucker—12. A bill to authorize the opening of a state road from Prince's ferry, to the Tennessee line, in the direction to Dover.

By Mr. Williams (of Wayne)—13. A bill authorizing the sheriff of Wayne, to be qualified at the March Term, and

By Mr. B. Allen—14. A bill to reduce the number of trustees of the New-castle Seminary in Henry county.

Which bills were severally received and read the first time and ordered to be read a second time.

And thereupon the rule of the house, constitutional provision and second reading of the 5th, 6th, 7th, 9th, 10th, 13th and 14th, bills having been dispensed with, the 5th and 10th were committed to the committee on internal improvements; the 6th and 9th, to the committee for courts of justice; the 7th, to a select committee of Messrs. Wilcoxon, White and Boyd; and the 13th and 14th, were ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of the 13th and 14th bills having been dispensed with, and the same having been engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate, and request their concurrence.

The amendments proposed by the Senate to bills which originated in this House of the following titles, were twice read and concurred in, viz:

An act to provide for the appointment of trustees to the Lancaster Seminary.

An act for the benefit of Ann Angel, relict of William Angel, deceased.

An act to incorporate the Lewis Pottery Company, for the purpose of manufacturing Queensware and China, at Louisville.

Ordered, That the clerk inform the Senate thereof.

An engrossed bill entitled "an act to take the sense of the people as to the propriety of calling a convention," was read a third time, and the question being taken on the passage thereof, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs Boyd and Rucker, were as follows:

YEAS—Messrs. B. Allen, Barlow, Beaseman, Beall, Beauchamp, Boyd, Bruce, Burns, Burton, G. Calhoun, Cassidy, Chambers, Coleman, Crow, Daniel, Declary, Dougherty, Durham, Fisher, Griffith, Guthrie, Hardy, Hays, Hise, Hughes, Irwin, James, Jonas, J. H. Jones, H. Jones, Kouns, Lewright, J. T. Morehead, Morris, Oglesby, Owsley, Parks, Porter, Preston, Ray, Rice, Roberts, Robertson, Rodes, Rucker, Shanks, Short, Sisk, Thomas, Tibbatts, Tomlinson, Venable, Walker, Wheeler, White, Wilcoxon, S. Williams, W. J. Williams, and W. J. Wilson.—59.

NAYS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Bailey, Brown, Butler, J. Calhoun, Combs, Cox, Elliott, Forrest, Harlan, Harris, Harrison, Hawes, Head, Heady, Kennedy, Love, McBrayer, McDonald, Mize, C. S. Morehead, Murphy, Parker, Smith, Taylor, True, G. W. Williams, Woolfolk, Worthington, Wright and Yates.—33.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

The following bills were severally read a second time, viz:

1. A bill to authorize the trustees of the Rittenhouse Academy to transfer and convey the property, both real and personal, belonging to said Academy, to the trustees of the Baptist Education society, located at Georgetown, Scott county.

2. A bill for the benefit of Samuel Scott.

The first, was ordered to be engrossed and read a third time on Monday next, and the question being taken on engrossing and reading the second bill a third time, it was decided in the negative, and so the said bill was rejected.

A bill from the Senate, entitled "an act for the benefit of Jesse Corum," was read a second time, and ordered to be read a third time on Monday next.

A bill from the Senate, entitled "an act to amend the laws in relation to crimes committed on the Ohio, Mississippi, and Big Sandy rivers," was read the first time and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision and second reading of said bill having been dispensed with, the same was committed to the committee for courts of justice.

The House took up for consideration the joint resolutions offered by Mr. Rucker on the 10th instant, relative to the Hospital at Smithland.

Ordered, That said resolutions be referred to the committee of ways and means.

And then the House adjourned.

MONDAY, DECEMBER 14, 1829.

Mr. Ray presented the petition of Reuben Baldock, of Casey county, praying that a law may pass to grant to the trustees of the "South Fork Separate Baptist Meeting House," one acre of land, on which said Meeting House has been erected.

2. Mr. Combs presented the petition of Joseph Towler, praying legislative permission to sell three slaves, the property of his infant step-daughter, Mary Louisa Megowan, for the reasons stated in said petition.

3. Mr. Williams (of Bourbon,) presented the petition of the widow and heirs of John Gillock, deceased, praying Legislative permission to sell a female slave, devised to the widow of said Gillock during life, for reasons set forth in said petition.

4. Mr. Burns presented the petition of sundry citizens of Lawrence county, praying that a law may pass to change the place of holding elections in the precinct in said county, to the house of Stephen Hughes.

Which petitions were severally received, the reading dispensed with and referred; the 1st and 4th, to the committee of propositions and grievances; and the second and third, to the committee for courts of justice.

A message from the Senate, by Mr. Pollard, assistant clerk:

Mr. Speaker—The Senate have passed bills, which originated in this house, of the following titles: An act for the regulation of the town of Cadiz; an act for the benefit of Temple and Sally West; and an act to establish an election precinct in Green county; with amendments to the latter bill. And they have passed bills of the following titles: An act allowing additional constables to certain counties; and an act for the benefit of the heirs of John Head; in which amendment and bills, they request the concurrence of this house.

Mr. Guthrie, from the committee for courts of justice, to whom was referred "a bill to authorise the foreclosing of mortgages by *scire facias*;" also, a bill to amend an act entitled "an act to reduce into one, the several acts or parts of acts, concerning limitations of actions," reported the said bills without amendment; and the question being taken on engrossing said bills and reading the same a third time, it was decided in the negative, and so the said bills were rejected.

Mr. Guthrie, from the same committee, made the following report:

The committee for courts of justice have had under consideration, the petition of Dovy Pimpkin for a divorce, and are of opinion, if the statements of the petitioner are true, she has a plain remedy in a court of equity under existing laws, and therefore have come to the following resolution:

Resolved, That said petition be rejected.

2. They have also had under consideration, the petition of Isaac Adams and others, praying for a change of venue in a criminal prosecution, and are of opinion, the affidavits would be insufficient to obtain a change of venue in a civil action; therefore, they have come to the following resolution:

Resolved, That said petition be rejected.

They have also had under consideration, a petition for an additional justice of the peace and constable, to be allowed the county of Lawrence, and having ascertained that county has fourteen justices of the peace now in commission, and only about six hundred voters, they have come to the following resolution:

Resolved, That said petition be rejected.

They have also had under consideration, the law to them referred, to compel litigants to give security for costs in land cases; and not believing it expedient to change the existing law, they pray to be discharged from the further consideration of the subject.

Which being twice read, was concurred in.

Mr. Hardy, from the committee of religion, made the following report, viz:

The committee of religion have, according to order, had under their consideration, sundry petitions to them referred, and have come to resolutions thereon:

Resolved, That the petition of James Talbott, be rejected.

Resolved, That the petition of William Twidwell and Sarah Twidwell, be rejected.

Resolved, That the petition of Sarah Talbott be rejected.

Resolved, That the petition of William Crim and Frances Crim, be rejected.

Which being twice read, was concurred in.

A message from the Governor by Mr. Crittenden, his Secretary:

Mr. Speaker—I am directed to inform this house, that the Governor has approved and signed an enrolled bill, which originated in this house, entitled "an act to enlarge the capital stock of the Louisville and Portland Canal Company."

Ordered, That Mr. Barlow inform the Senate thereof.

Mr. Love, from the committee of claims, made the following report:

The committee of claims have had under consideration the petition of William Logan, praying a law may pass, requiring the

commandant of the 45th regiment, Kentucky militia, to audit and settle certain claims he has against said regiment, for services rendered as judge advocate, and have come to the following resolution thereon:

Resolved, That the prayer of the petitioner is unreasonable.

Which being twice read, was concurred in.

Mr. Love from the same committee, to whom was referred a bill for the benefit of James Mitchell, a constable of Montgomery county, reported the same without amendment; and the question being taken on engrossing said bill and reading the same a third time, it was decided in the negative; and so the said bill was rejected.

Mr. Smith, from the select committee to whom was referred, a bill further to regulate the Court of Appeals, and for other purposes, reported the same with amendments.

Ordered, That the said bill with the proposed amendments be re-committed to a select committee of Messrs. J. Calhoun, Smith, C. Morehead, Hise and Short.

The Speaker laid before the House the annual report of the President of the Bank of Kentucky, exhibiting the state of that institution, which was received, read and referred to the committee of ways and means.

Ordered, That the public printer forthwith print 150 copies of said report, for the use of the members of this house.

Mr. Thomas read and laid on the table, the following joint resolution:

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will, on the 22d day of this inst. proceed, by the joint vote of both branches of the General Assembly, to elect a Treasurer, Public Printer, President and Directors of the Bank of the Commonwealth of Kentucky, and a President and Directors of the Bank of Kentucky.

Mr. Brown moved the following resolution:

Resolved, That the committee of courts of justice inquire into the expediency of amending an act, approved January 16th, 1829, "requiring certain duties of the clerks of this Commonwealth."

Which being twice read, was adopted.

Mr. Burns moved the following resolution, viz:

Resolved, That the committee of internal improvements be instructed to inquire into the expediency of making provision for improving the navigation of Big Sandy River, from its mouth to the town of Louisa, and that they report by bill or otherwise.

Which being twice read, was adopted.

Mr. Rice moved the following resolution:

Resolved, That the committee on internal improvements be requested to inquire into the expediency of making an appropriation for the purpose of improving the navigation of the Louisa

fork of Big Sandy river, from the town of Louisa to the forks above Pikeville, and report by bill or otherwise.

Which being twice read, was adopted.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Butler—1. A bill to provide for the erection of a bridge across the Kentucky river, near the mouth of Benson.

On the motion of Mr. Williams (of Wayne)—2. A bill to compel the Sheriffs of this Commonwealth, to pay the amount of venire claims to the holders thereof.

On the motion of Mr. Hardy—3. A bill to provide for removing the obstructions in Little Barren river.

On the motion of Mr. Tibbatts—4. A bill to amend the laws defining the powers of the Trustees of the town of Newport.

On the motion of Mr. Thomas—5. A bill to appropriate certain vacant lands in this Commonwealth to the use of the Mount Sterling Seminary. And,

On the motion of Mr. Burns—6. A bill for the benefit of John L. Elliott, of Morgan county.

Messrs. Butler, Shannon, G. W. Johnston, Allen (of Henry,) and Long, were appointed a committee to prepare and bring in the first; Messrs. Williams (of Wayne,) Irwin and Allen (of Green,) the second; Messrs. Hardy, Allen (of Green,) Preston and Durham, the third; Messrs. Tibbatts, Fisher and Jonas, the fourth; Messrs. Thomas, Hawes, Wheeler and Hays, the fifth; and Messrs. Burns, Robertson and Rice, the sixth.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Love, from the committee of claims—1. A bill to allow one hundred dollars to Mary Pedigo, for keeping James Nichols, an idiot.

By Mr. Shanks—2. A bill to authorize the several county courts in this Commonwealth, to extend the districts of town constables beyond the town boundaries.

By Mr. Dougherty—3. A bill allowing compensation to Grand Jurors.

By Mr. Tibbatts—4. A bill to amend an act entitled, "an act to incorporate the Kentucky and Ohio Bridge Company."

By Mr. Love—5. A bill further to regulate the Wilderness and Turnpike road.

By Mr. Anderson—6. A bill more effectually to prevent the importation of slaves into this Commonwealth as merchandize.

By Mr. Rucker—7. A bill for the benefit of the heirs of Stephen Thompson Mason.

By Mr. Allen (of Green)—8. A bill to repeal the law allowing pay for slaves executed.

By Mr. Rice—9. A bill to increase the liability of principals to their securities.

By Mr. Coleman—10. A bill to amend the election laws of this State.

Which bills were severally received and read the first time, and ordered to be read a second time.

And thereupon the rule of the house, constitutional provision and second reading of the first, second, third, fifth and seventh bills, having been dispensed with, the first and second were severally ordered to be engrossed and read a third time; the third and seventh were committed to the committee for courts of justice; and the fifth, to a select committee of Messrs. Love, Smith, Jones, Anderson, Rodes, Daniel and Harris.

And thereupon the rule of the house, constitutional provision and third reading of the first and second bills having been dispensed with, and the same having been engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Clerk carry the said bills to the Senate and request their concurrence.

Mr. Rucker, from the select committee appointed for that purpose, reported a bill to amend the law concerning the rights of widows and orphans; and the question being taken on reading the said bill a second time, it was decided in the negative; and so the said bill was rejected.

Ordered, That a bill to amend an act entitled "an act to incorporate the Ohio Bridge Company," be re-committed to a select committee of Messrs. Declary, Guthrie, White, J. Calhoun, Love, Hardy and Tibbatts.

The amendments proposed by the Senate, to a bill which originated in this house, entitled "an act to establish an election precinct in Green county," were taken up, twice read and concurred in.

Ordered, That the Clerk inform the Senate thereof.

The following engrossed bills were severally read a third time:

1. An act to amend an act entitled "an act to incorporate the Lexington and Frankfort Turnpike or Rail Road Company."

2. An act making further provisions for the sale of the lands and slaves of infants. And,

3. An act to authorize the Trustees of the Rittenhouse Academy, to transfer and convey the property, both real and personal, belonging to said Academy, to the Trustees of the Baptist Education Society, located at Georgetown, Scott county.

Ordered, That the first bill be re-committed to the committee on internal improvements, and that the public printer forthwith print 150 copies thereof, for the use of the members of this house.

Resolved, That the second and third bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate, and request their concurrence.

A bill from the Senate entitled "an act for the benefit of John Corum," was read a third time; and the question being taken on the passage thereof, it was decided in the negative; and so the said bill was rejected.

Ordered, That the clerk inform the Senate thereof.

The following bills were severally read a second time, viz:

1. A bill to amend an act entitled "an act to amend and reduce into one, the execution laws of this State," approved February 12, 1828.

2. A bill for the benefit of Shippingport.

3. A bill for the benefit of Port-William, in Gallatin county.

4. A bill to divorce Mary Drysdale from her husband, Reuben Drysdale.

5. A bill to repeal the law authorizing county courts of this Commonwealth, to make allowances to constables and other officers, in cases of breaches of the peace.

6. A bill to prohibit justices of the peace in this commonwealth, from receiving money on judgments by them rendered, and for other purposes. And,

7. A bill to authorise the opening of a State Road from Prince's Ferry to the Tennessee line, in the direction to Dover.

The 1st, 2d, 3d and 4th, were severally ordered to be engrossed and read a third time; the 5th and 6th were committed to the committee for courts of justice; and the 7th, to the committee on internal improvements.

Ordered, That the public printer forthwith print 150 copies of the first bill for the use of the members of this house.

And thereupon, the rule of the house, constitutional provision and third reading of the 4th bill being dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the Clerk carry the said bill to the Senate and request their concurrence.

A bill from the Senate entitled "an act allowing additional constables to certain counties," was read the first time; and the question being taken on reading the said bill a second time, it was decided in the negative; and so the said bill was rejected.

Ordered, That the Clerk inform the Senate thereof.

A bill from the Senate entitled "an act for the benefit of the heirs of John Head," was read the first time and ordered to be read a second time.

Ordered, That the joint resolution laid on the table by Mr. Jonas, providing for burning a certain portion of the notes of the Bank of the Commonwealth, be committed to the committee of ways and means.

Mr. Hardy moved the following resolution:

Resolved, That the order of business in this house shall be—1st, petitions; 2d, reports from standing committees as they now

stand; 3d, reports from select committees; and 4th, motions: *Provided*, that the orders of the day shall be called for, precisely at 12 o'clock on each day.

Which being twice read, was adopted.

Mr. Brown moved the following resolution:

Whereas, There exists considerable doubt as to the proper construction of the statute usually known by the title of the shooting and stabbing act, passed February 11th, 1809, and in order to settle said doubt,

Resolved, That the committee of courts of justice take under consideration, the propriety of amending said statute, and the same are directed to report by bill or otherwise.

Which being twice read, was adopted.

Mr. McDonald moved the following resolution:

Resolved, That it shall be the standing rule of this house, to meet at 9 o'clock, A. M.

Which being twice read, was disagreed to.

And then the House adjourned.

TUESDAY, DECEMBER 15, 1829.

Mr. John S. Laughlin, a member returned to serve in this house from the counties of Whitley and Laurel, appeared, produced a certificate of his election and of his having taken the oaths required by the constitution of the United States, and the constitution and laws of this State, and took his seat.

A message from the Senate, by Mr. Pollard, assistant clerk:

Mr. Speaker—The Senate have received official information that the Governor has approved and signed an enrolled bill entitled, "an act to change the time of holding the Spencer circuit and county courts;" and they have passed a bill entitled "an act for the benefit of Thales Huston;" in which bill they request the concurrence of this house.

Mr. Barlow, from the joint committee of enrollments, reported, that the committee had examined enrolled resolutions and bills of the following titles, and had found the same truly enrolled, viz:

A joint resolution relative to the public printer; an act authorising the sale of certain ground in the town of Russellville; an act for the benefit of Ann Angel, relict of William Angel, deceased; an act to provide for the appointment of trustees to the Lancaster Seminary; an act to authorize the Lexington White Lead Manufacturing Company, to close and dispose of said establishment; an act to incorporate the Lewis Pottery Company, for the purpose of manufacturing Queensware and China, at Louisville; an act to amend an act entitled "an act appropriating fines and forfeitures for the purpose of promoting education."

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

1. Mr. Porter presented the petition of sundry citizens of Butler and Ohio counties, praying that the act of the last session of the General Assembly, providing for viewing and marking a road from Hartford to Morgantown, may be repealed, and that the road marked out, and opened between those points, under the authority of an act of a former Legislature, may be permitted to remain.

2. Mr. Guthrie presented the petition of Solomon Jenkins of Cincinnati, praying that provision may be made for the payment of his claim against the Commonwealth, for purchasing materials employed in re-building the Capitol, under a contract made between him and the commissioners.

3. Mr. Preston presented the petition of sundry citizens of Barren, Warren, Simpson and Allen counties, praying that a direct road may be opened from Louisville to Nashville.

4. Mr. J. Calhoun presented the remonstrance of sundry citizens of Hancock county, against the addition of part of Breckenridge and Ohio counties to Hancock county, and the removal of the seat of justice of said county.

5. Mr. Brown presented the petition of James Ferguson, praying that he may be relieved from the pains and penalties of the divorce laws of this State.

6. Mr. Hill presented the petition of Charity Todd, praying that a law may pass, granting her a land warrant for one hundred acres of land, and remitting the State price and register's fees thereon.

Which petitions were received, the reading thereof dispensed with, and referred:

The first to a select committee of Messrs. Shanks, Williams of Wayne, Yates and Griffith; the second, to the committee of claims; the third, to a select committee of Messrs. Preston, Williams and Walker; the fourth and sixth, to the committee of propositions and grievances; and the fifth, to the committee of religion.

On motion—

Ordered, That Messrs. Hawes and Kouns be added to the committee on internal improvements; and Messrs. Coleman, Shanks and Thomas, be added to the committee on military affairs.

Mr. Guthrie, from the committee for courts of justice, to whom was referred a bill to establish a sixteenth Judicial District, reported the same with an amendment, which being twice read, was concurred in.

Ordered, That the said bill as amended, be engrossed and read a third time tomorrow.

Mr. J. T. Morehead, from the committee on internal improvements, to whom was referred a bill to authorize the opening of a

State Road from Prince's Ferry to the Tennessee line, in the direction to Dover, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Hardy, from the committee of religion, made the following report, viz:

The committee of religion have, according to order, had under their consideration, the petition of Patsy Rice, praying to be divorced from her husband, George Rice, and have come to a resolution thereon:

Resolved, That said petition be rejected.

They have also had under consideration, the petition of Delia Humphrey, praying to be divorced from her husband, Eli Humphrey. From the facts set forth in the petition and the accompanying affidavits, your committee think the case embraced by the general law; but is a peculiarly hard one; they have therefore instructed me to ask leave to be discharged from the further consideration thereof.

Which being twice read, the first resolution was concurred in, and the second laid on the table.

Mr. Kennedy, from the select committee to whom was referred a bill to increase the jurisdiction of justices of the peace of this Commonwealth, reported the same with an amendment in lieu of the original bill.

Which being twice read, was concurred in.

Ordered, That the said bill be committed to a committee of the whole house for Friday next; and that the public printer forthwith print 150 copies of said bill, for the use of the members of this house.

Mr. J. Calhoun, from the select committee to whom was referred "a bill further to regulate the court of appeals, and for other purposes," reported the same with an amendment in lieu of the original bill.

Ordered, That the said bill with the amendment, be committed to a committee of the whole house for to-morrow.

Mr. Thomas moved the following resolution, viz:

Resolved, That the committee on military affairs, be instructed to inquire into the expediency of repealing the militia laws of this Commonwealth, or to reduce the number of musters to one, which shall be a general one.

Which being twice read, was adopted.

Mr. Hardy moved the following resolution:

Whereas, it appears by the report of the Bank of the Commonwealth of Kentucky, that there is due that institution from the Treasury, the sum of sixty thousand and nineteen dollars, and eighty-seven and a half cents; which debt has been created by over draughts of the Treasury upon the Bank, to meet the demands of government; and from the depressed state of the Treas-

sury, it is clear that the above sum must be raised by an increased tax upon the people, unless a remedy can be afforded. Therefore,
Resolved, That the committee of ways and means be instructed to inquire into the expediency of passing a law, directing that the Treasury shall be credited in Bank, so as to save the collection of that sum in the way of tax; and that they report by bill or otherwise.

Which being twice read, was adopted.

Mr. Rucker read and laid on the table, the following joint resolutions:

Resolved by the General Assembly, That our representatives in Congress be requested, and our Senators be instructed, to use their utmost exertions to procure the passage of a law to establish an armory at some suitable point in this State.

Be it further resolved, That his Excellency, the Governor of the Commonwealth of Kentucky, is hereby requested to transmit to each of the Representatives and Senators in Congress assembled, a copy of the foregoing resolution.

Mr. Beaseman moved the following resolution:

Resolved, That the committee on internal improvements, be instructed to inquire into the expediency of widening and improving the road from Cynthiana, by way of John Smith's, in Harrison county, to Williamstown, in Grant county; and report by bill or otherwise.

Which being twice read, was adopted.

Leave was given to bring in the following bills:

On the motion of Mr. White—1. A bill to incorporate the "Mutual Fire Insurance Company," at Louisville.

On the motion of Mr. James—2. A bill for the benefit of Jarrett Willingham and James Lockridge.

On the motion of Mr. Irwin—3. A bill for the benefit of Coleman May.

On the motion of Mr. Barlow—4. A bill to amend the laws regulating the mode of collecting the revenue and county levy of this Commonwealth.

On the motion of Mr. Tibbatts—5. A bill to incorporate the Licking River Navigation Company.

On the motion of Mr. Heady—6. A bill to divorce Delia Humphrey, from her husband, Eli Humphrey.

On the motion of Mr. Hise—7. A bill to provide for the organization of a Fire Company in the town of Russellville.

On the motion of Mr. Mize—8. A bill to change the name of William L. Oxhair, to that of William Litton White.

On the motion of Mr. J. Calhoon—9. A bill to legalize the proceedings of the Hancock circuit and county courts.

On the motion of Mr. Preston—10. A bill for the benefit of sundry citizens of Glasgow.

On the motion of Mr. W. C. Wilson—11. A bill to incorporate a company to build a bridge across Main Licking River, at Fal-mouth.

On the motion of Mr. Preston—12. A bill for the purpose of improving the Elk Hill and Little Barren River, in the county of Hart, on the main road leading from Lexington to Nashville.

Messrs. White, Declary, Oglesby, Guthrie, Love and Shannon, were appointed a committee to prepare and bring in the first; the committee of courts of justice, the second; Messrs. Irwin, Hise and Williams of Wayne, the third; Messrs. Barlow, J. T. Morehead, Hardy and Walker, the fourth; Messrs. Tibbatts, Coleman, Wilson and Beaseman, the fifth; Messrs. Heady, James and Johnston, the sixth; Messrs. Hise, Irwin and C. Morehead, the seventh; Messrs. Mize, Thomas and Hays, the eighth; Messrs. J. Calhoon, Griffith and G. Calhoon, the ninth; Messrs. Preston, Hardy and Walker, the tenth; Messrs. W. C. Wilson, Coleman, Tibbatts and Beaseman, the eleventh; and Messrs. Preston, Beauchamp and Morris, the twelfth.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. J. Morehead, from the committee on internal improvements—1. A bill to establish a bridge across Nolin river, at Robert Slaughter's in Hardin county, where the main road crosses from Louisville to Nashville.

2. A bill to declare Tradewater a navigable stream and to improve the navigation thereof.

By Mr. Combs, from the committee of ways and means—3. A bill to provide for withdrawing the branches, and further to regulate the bank of the Commonwealth.

By Mr. Jonas—4. A bill to change the time of holding courts in certain counties in the second Judicial district.

By Mr. Rucker—5. A bill for the benefit of John H. Webb.

By Mr. Williams (of Wayne.)—6. A bill to compel the sheriffs of this Commonwealth to pay the full amount of venire claims to the holders thereof.

By Mr. G. Calhoon—7. A bill curtailing the jurisdiction of the General Court.

By Mr. J. Morehead—8. A bill to incorporate the Green and Barren river navigation company.

By Mr. Crow—9. A bill to provide for building a bridge across Rough creek, at the town of Hartford.

By Mr. Dougherty—10. A bill for the benefit of Jane Wright Latty and Nancy Davis Latty.

By Mr. Boyd—11. A bill to establish Seminaries of learning in the counties of Calloway, Graves, Hickman and McCracken.

By Mr. H. Jones—12. A bill to amend the laws in relation to the duties of executors and administrators.

By Mr. Beauchamp—13. A bill to change the time of holding the Edmonson county court, and

By Mr. Mize—14. A bill for the improvement of the road from Mountsterling, by way of Irvine and Manchester, to intersect the Wilderness state road.

Which bills were severally received and read the first time, and (with the exception of the second bill, which was rejected,) ordered to be read a second time.

Ordered, That the public printer forthwith print 150 copies of the third bill, for the use of the members of this house.

And thereupon the rule of the House, constitutional provision and second reading of the 4th, 8th, 9th, 11th, 12th, 13th and 14th bills having been dispensed with, the fourth was ordered to be engrossed and read a third time; the 8th, 9th and 14th were committed to the committee on internal improvements; the 11th, to the committee on education; the 12th to the committee for courts of justice; and the 13th, to a select committee of Messrs. Hardy, Beauchamp, Murphy and Porter.

And thereupon the rule of the House, constitutional provision and third reading of the fourth bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate, and request their concurrence.

A message from the Governor by Mr. Crittenden, his Secretary:

Mr. Speaker—I am directed by the Governor, to inform this house, that he did, on this day, approve and sign sundry enrolled bills, which originated in this house, of the following titles:

An act for the benefit of Ann Angel, relict of William Angel, deceased.

An act to provide for the appointment of Trustees to the Lancaster Seminary.

A joint resolution relative to the office of public printer.

An act to amend an act entitled "an act appropriating fines and forfeitures, for the purposes of promoting education."

An act to authorize the Lexington White Lead Manufacturing Company, to close and dispose of said establishment.

An act authorizing the sale of certain ground in the town of Russellville.

An act to incorporate the Lewis Pottery Company for the purpose of manufacturing Queensware and China at Louisville.

Ordered, That the clerk inform the Senate thereof.

The following engrossed bills were severally read a third time, viz:

1. An act for the benefit of Shippingsport.

2. An act for the benefit of the town of Port-William, in Gallatin county. And,

3. An act to amend an act entitled "an act to amend and reduce into one, the execution laws of this State;" approved February 12, 1828.

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The yeas and nays being required on the passage of the third bill by Messrs. Williams (of Wayne,) and Combs, were as follows:

YEAS—Mr. Speaker, Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Bailey, Beaseman, Beall, Beauchamp, Boyd, Brown, Burns, Burton, G. Calhoun, J. Calhoun, Cassidy, Chambers, Coleman, Cox, Crow, Daniel, Declary, Dougherty, Durham, Elliott, Field, Fisher, Griffith, Guthrie, Hardy, Harlan, Harrison, Hawes, Hays, Head, Heady, Hill, Hise, Irwin, James, Jonas, Johnson, J. H. Jones, H. Jones, Kouns, Laughlin, Lewright, Long, Love, McBrayer, McDonald, Mize, J. T. Morehead, Morris, Murphy, Oglesby, Owsley, Parks, Penn, Porter, Preston, Rice, Roberts, Robertson, Rodes, Rucker, Shanks, Shannon, Short, Sisk, Smith, Tibbatts, Venable, Walker, Wheeler, Wilcoxon, G. W. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Worthington and Yates—82.

NAYS—Messrs. Combs, Harris, Hughes, Kennedy, C. S. Morehead, Parker, Taylor, Thomas, Tomlinson, True, S. Williams and E. J. Wilson—12.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

And then the House adjourned.

WEDNESDAY, DECEMBER 16, 1829.

A message from the Senate by Mr. Pollard, assistant Clerk:

Mr. Speaker:—The Senate have passed a bill which originated in this house, entitled "an act to continue in force an act for the benefit of the Headright and Tellico settlers, and for other purposes."

They disagree to a bill which originated in this house entitled, "an act to take the sense of the people of this Commonwealth, as to the propriety of calling a convention."

And they have passed bills of the following titles:

An act for the benefit of Anner Taylor; and, an act to allow an additional justice of the peace and constable in Garrard county; in which bills they request the concurrence of this house.

1. Mr. Thomas presented the petition of Sarah Montjoy, praying a divorce from her husband, Edmund Montjoy.

2. Mr. Burns presented the petition of William Martin, praying

a donation from the Commonwealth, in consideration of his age and poverty.

3. Mr. Venable presented the petition of Henry Hailey, praying a divorce from his wife, Parmelia, late Parmelia Armstrong, alias Sindley.

Which petitions were severally received, read and referred: the first and third, to the committee of religion; and the second, to the committee of claims.

Mr. Guthrie, from the committee for courts of justice, to whom was referred a bill from the Senate entitled "an act to amend the laws in relation to crimes committed on the Ohio, Mississippi and Big Sandy rivers," reported the same with amendments:

Which being twice read, were concurred in.

Ordered, That the said bill as amended, be re-committed to a select committee of Messrs. Anderson, J. T. Morehead, Guthrie and J. Calhoon.

Mr. Barlow, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act for the regulation of the town of Cadiz; an act to establish an election precinct in Green county; and, an act for the benefit of Temple and Sally West.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

Mr. Guthrie, from the committee for courts of justice, to whom was referred a bill to prohibit justices of the peace in this Commonwealth, from receiving money on judgments by them rendered, and for other purposes, reported the same with amendments; which being twice read, were concurred in; and the said bill as amended, ordered to be engrossed and read a third time to-morrow.

Mr. Guthrie, from the same committee, to whom was referred a bill allowing compensation to grand jurors, reported the same without amendment.

A motion having been made and negatived to fill the blank in said bill fixing the *per diem* allowance to grand jurors, with *seventy five cents*, it was then moved and seconded to fill said blank with *fifty cents*; and the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dougherty and Fisher, were as follows, viz:

YEAS—Mr. Speaker, Messrs. B. Allen, W. B. Allen, Baily, Beall, Beauchamp, Boyd, Butler, Cassidy, Cox, Crow, Dougherty, Durham, Field, Fisher, Griffith, Harlan, Harris, Head, Hughes, Irwin, James, Jonas, Johnson, J. H. Jones, Kouns, Lewright, Long, Love, McBrayer, McDonald, Mize, Morris, Oglesby, Parker, Porter, Ray, Roberts, Shannon, Short, Sisk, Smith, Thomas,

Tibbatts, Walker, White, Wilcoxon, W. C. Wilson, Woolfolk and Yates—50.

NAYS—Messrs. Anderson, Barlow, Beaseman, Brown, Bruce, Burns, Burton, G. Calhoon, J. Calhoon, Chambers, Coleman, Combs, Daniel, Declary, Elliott, Forrest, Guthrie, Hardy, Harrison, Hawes, Hays, Heady, Hise, H. Jones, Kennedy, C. S. Morehead, J. T. Morehead, Owsley, Parks, Penn, Preston, Rice, Robertson, Rodes, Rucker, Shanks, Taylor, Tomlinson, True, Venable, Wheeler, G. W. Williams, S. Williams, W. J. Williams E. J. Wilson, Worthington and Wright—47.

A further amendment having been offered to said bill, it was then moved and seconded to postpone the further consideration of said bill and amendments, until the first day of June next; and the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dougherty and Hawes, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Anderson, Barlow, Beaseman, Beall, Brown, Bruce, Burns, Burton, G. Calhoon, J. Calhoon, Chambers, Coleman, Combs, Cox, Daniel, Declarey, Elliott, Forrest, Griffith, Guthrie, Hardy, Harris, Harrison, Hawes, Hays, Head, Hise, Irwin, H. Jones, Kennedy, Kouns, Laughlin, Love, Mize, J. T. Morehead, Owsley, Parks, Penn, Preston, Ray, Rice, Robertson, Rodes, Shanks, Short, Smith, Taylor, Tomlinson, True, Venable, Wheeler, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson, Worthington and Wright—58.

MAYS—Messrs. B. Allen, W. B. Allen, Baily, Beauchamp, Boyd, Butler, Cassidy, Crow, Dougherty, Durham, Field, Fisher, Harlan, Heady, Hughes, James, Jonas, Johnson, J. H. Jones, Lewright, Long, McBrayer, McDonald, C. S. Morehead, Morris, Murphy, Oglesby, Parker, Porter, Roberts, Rucker, Shannon, Sisk, Thomas, Tibbatts, Walker, White, Wilcoxon, W. C. Wilson, Woolfolk and Yates—41.

Mr. J. Calhoon, from the committee of propositions and grievances, reported a bill for the benefit of the South Fork Separate Baptist Church, in Casey county; which was received and read the first time, and ordered to be read a second time.

And thereupon the rule of the house, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

The house then, according to the standing order of the day, resolved itself into a committee of the whole house, Mr. Love in the chair; and after some time spent therein, the Speaker resumed the chair, and Mr. Love reported, that the committee had,

according to order, had under consideration, "a bill further to regulate the Court of Appeals, and for other purposes," and had gone through the same without amendment.

It was then moved and seconded, to postpone the further consideration of said bill, until the first day of June next; and the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Burns, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Anderson, B. Allen, W. B. Allen, Baily, Beauchamp, Brown, Burton, Butler, G. Calhoun, Chambers, Combs, Daniel, Declary, Dougherty, Durham, Elliott, Field, Fisher, Guthrie, Hardy, Harlan, Harris, Harrison, Hawes, Hays, Jonas, Johnson, J. H. Jones, H. Jones, Kennedy, Kouns, Lewright, Long, Love, McBrayer, McDonald, J. T. Morehead, Morris, Oglesby, Owsley, Parker, Parks, Penn, Ray, Robertson, Rodes, Shanks, Shannon, Taylor, Tibbatts, Tomlinson, True, Venable, Walker, White, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson, Woolfolk, Worthington and Wright—63.

NAYS—Messrs. Barlow, Beaseman, Beall, Boyd, Bruce, Burns, J. Calhoun, Cassidy, Cox, Crow, Forrest, Griffith, Head, Heady, Hill, Hise, Hughes, Irwin, James, Laughlin, Mize, C. S. Morehead, Murphy, Porter, Preston, Rice, Roberts, Rucker, Short, Sisk, Smith, Thomas, Wheeler, Wilcoxon, W. C. Wilson & Yates—36.

And then the House adjourned.

THURSDAY, DECEMBER 17, 1829.

Mr. Coleman moved to obtain leave to record his vote on the question of laying on the table until the first day of June next, "A bill further to regulate the Court of Appeals" he having been absent when said vote was taken. And the question being taken on giving leave to record his vote as aforesaid, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Thomas and H. Jones, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Anderson, B. Allen, Baily, Beall, Beauchamp, Boyd, Brown, Bruce, Burton, Butler, G. Calhoun, Cassidy, Chambers, Cox, Daniel, Declary, Dougherty, Durham, Elliott, Field, Fisher, Forrest, Harlan, Harris, Harrison, Hawes, Hays, Head, Hill, Hughes, Irwin, James, Jonas, Johnson, J. H. Jones, Kennedy, Kouns, Laughlin, Lewright, Long, McBrayer, McDonald, J. T. Morehead, Morris, Murphy, Oglesby, Parker, Parks, Penn, Porter, Ray, Rice, Robertson, Rucker, Shannon, Short, Sisk, Smith, Taylor, Tibbatts, Tomlinson, True, Venable, Walker, Wheeler, White, Wilcoxon, G. W. Williams, S. Williams, W. C. Wilson, Woolfolk, Wright and Yates—74.

NAYS—Messrs. W. B. Allen, Burns, Jones, Rodes, Thomas, W. J. Williams, E. J. Wilson and Worthington—8.

Whereupon, Mr. Coleman voted against the postponement of said bill.

A message from the Senate, by Mr. Pollard, assistant clerk:

Mr. Speaker:—The Senate have passed bills of the following titles:

An act for the benefit of Azra Offutt.

An act to amend the law concerning slaves, and for other purposes.

An act to authorize the county court of Owen county, to sell and convey the lot of ground on which the old Jail stands, and

An act altering the time of holding the Washington circuit court.

In which bills they request the concurrence of this House.

And they have passed a bill which originated in this House, entitled "an act to allow the Independent Banks in this Commonwealth, further time to settle their concerns," with an amendment, in which amendment, they request the concurrence of this House.

1. Mr. Chambers presented the petition of Sanford C. Faulkner and Evelina M. Faulkner, praying that a law may pass, authorizing and enabling her to convey a tract of land.

2. Mr. Williams, of Wayne, presented the petition of John Chesney, praying that a law may pass authorizing him to draw from the public Treasury, one hundred dollars, with interest thereon, from 1814, being the amount paid by him as part of the state price on one thousand acres of land, which has been since lost, in consequence of its interfering with a prior claim.

3. Mr. Wright presented the petition of the heirs of Isham Gilbert, deceased, praying that a law may pass to authorize his administrator to sell and convey the title of his heirs, to a part of a tract of land, to pay his debts.

4. Mr. Daniel presented the petition of Robert Caldwell, of Madison county, praying that a law may pass authorizing him to erect gates across the road leading from Irwin's hill, to old Milford.

5. Mr. Burns presented the petition of James Rice, praying a divorce from his wife, Rebecca Rice.

6. Mr. Burns presented the petition of sundry citizens of Morgan county, praying that a law may pass, allowing an additional justice of the peace and constable to said county.

Which were severally received, the reading thereof dispensed with, and referred, the 1st and 3d, to the committee of courts of justice; the 2d, to the committee of claims; the 4th and 6th, to the committee of propositions and grievances, and the 5th, to the committee of religion.

Mr. J. Calhoun, from the committee of propositions and grievances, made the following report:

The committee of propositions and grievances have had under consideration the petition of sundry citizens of Breckinridge and Hancock counties praying that a part of Breckinridge county may be added to Hancock, to them referred, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Also, the petition of sundry citizens of Ohio county, praying to be added to the county of Hancock, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Which being twice read was concurred in; and leave was given to withdraw the petitions on which said reports were founded.

Mr. Guthrie, from the committee of courts of justice, to which was referred, a bill to repeal the law authorizing the county courts of this Commonwealth, to make allowances to constables and other officers in cases of breaches of the peace, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Guthrie, from the same committee, to whom was referred a bill to amend the law concerning the trial of the right of property, reported the same without amendment.

And the question being taken on engrossing the said bill and reading it a third time, it was decided in the negative.

And so the said bill was rejected.

Mr. J. T. Morehead, from the committee of internal improvements, to which was referred a bill to provide for turnpiking the principal roads in this Commonwealth, reported the same with amendments.

Ordered, That the said bill and amendments be laid on the table; and that the public printer forthwith print 150 copies of said bill and amendments, for the use of the members of this House.

A message from the Governor by Mr. Crittenden, his Secretary:

Mr. Speaker—I am directed to inform this House, that the Governor has approved and signed sundry enrolled bills which originated in this house of the following titles:

An act for the benefit of Temple and Sally West.

An act to establish an election precinct in Green county.

An act for the regulation of the town of Cadiz.

Ordered, That the Clerk inform the Senate thereof.

Mr. J. T. Morehead, from the committee on internal improvements, made the following report:

The committee on internal improvements, have had under consideration, leave to bring in a bill to make an appropriation for clearing out Little Barren river, and recommend the adoption of the following resolution:

Resolved, That the said committee be discharged from the further consideration of the subject.

They have also had under consideration, a resolution instructing the committee to inquire into the expediency of opening and establishing a state road from Lexington, to the nearest point on the Ohio river, by way of Leesburg, Cynthiana and Claysville, and recommend the adoption of the following resolution:

Resolved, That they be discharged from the further consideration of the subject.

Which being twice read was concurred in.

Mr. C. Morehead, from the committee on education, to whom was referred a bill to establish Seminaries of learning in the counties of Calloway, Graves, Hickman and McCracken, reported the same without amendment.

Ordered, That the said bill be laid on the table.

The Speaker laid before the house, a petition from the trustees of the Transylvania University, soliciting pecuniary aid to assist in rebuilding the college edifice, destroyed by fire the present year, and enable them to purchase additional chemical and philosophical apparatus.

Which was received, read, and referred to the committee on education.

Ordered, That the public printer, forthwith print 150 copies thereof, for the use of the members of this house.

Mr. Combs, from the committee of ways and means, to whom was referred a joint resolution laid on the table by Mr. Rucker, on the 10th instant, relative to the Hospital at Smithland, reported the same without amendment.

The question was then taken on the adoption of said resolution, which was decided in the negative.

And so the said resolution was disagreed to.

Mr. Combs, from the committee of ways and means, made the following report:

The committee of ways and means, to whom was referred "a resolution directing said committee to inquire into the expediency of the State's, taking 100 shares in the stock of the Louisville and Portland Canal company.

Also, a resolution instructing said committee to inquire into the expediency of passing a law, directing that the Treasury shall be credited in the bank of the Commonwealth, with \$60,019 87, the amount overdrawn to meet the current expences of the Government, instead of resorting to taxation to meet said deficiency, have had the same under consideration, and beg leave to report the following resolution:

Resolved, That the committee be discharged from a further consideration of said resolutions:

Which being twice read, was concurred in.

Mr. Combs, from the same committee, to whom was referred a joint resolution offered by Mr. Jonas on the ——— inst. directing and providing for cancelling by burning a portion of the notes of the Bank of the Commonwealth, reported the same with an amendment, proposing to fill the blank in said resolution with the sum of \$270,414 05.

Which being twice read, was concurred in.

The question was then taken on the adoption of said resolution, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McDonald and Jonas, were as follows:

YEAS—Mr. Speaker, Messrs. Anderson, Baily, Beall, Beauchamp, Boyd, Brown Bruce, Butler, G. Calhoun, J. Calhoun, Chambers, Combs, Cox, Daniel, Declary, Elliott, Field, Fisher, Guthrie, Harlan, Harris, Harrison, Hawes, Hays, Hughes, Irwin, Jonas, Johnson, J. H. Jones, Kennedy, Kouns, Laughlin, Mize, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Parker, Penn, Ray, Roberts, Robertson, Rodes, Shanks, Smith, Taylor, Thomas, Tibbatts, Tomlinson, True, Venable, Walker, Wheeler, White, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson, Worthington and Wright—63.

MAYS—Messrs. B. Allen, W. B. Allen, Barlow, Beaseman, Burns, Burton, Cassidy, Coleman, Crow, Dougherty, Durham, Forrest, Griffith, Hardy, Head, Heady, Hill, Hise, James, Lewright, Long, McBrayer, McDonald, Parks, Porter, Preston, Rice, Rucker, Sisk, Wilcoxon, W. C. Wilson, Woolfolk and Yates—33.

Ordered, That Mr. Jonas carry said resolution to the Senate, and request their concurrence.

Mr. Irwin, from the select committee appointed under that part of the Governor's message relating to the Penitentiary, made the following report:

The committee to whom was referred so much of the Governor's message as relates to the Penitentiary, have had that subject under consideration, and make the following report:

Believing that the pecuniary concerns of the institution are not subjects for their consideration, they have confined their examinations to the improvements which have been made during the last year, the situation of the convicts, and what other improvements are necessary for the interest of the institution. The number of cells required by an act which passed at the last session of the Legislature have been finished, and so far as we could examine them, appear to be built of the best materials, sufficiently strong for the safe keeping and health of the convicts.

The old cells have been divided, and the wall raised to the height required by law, and executed in such a manner as to afford no facilities of escape.

The cost of this improvement will be seen by a reference to Mr. Scott's report. The advantages of these improvements are

obvious, not only for the health, but for the purpose of putting into operation a system of discipline, which has for its object the reformation of the convicts. The adoption of the regulations laid down by the "Prison Discipline Society" in this State, will be productive, it is hoped, of the best consequences.

The subject of penitentiary discipline is a topic which has recently claimed an unusual share of public attention, and the discussion of it by distinguished philanthropists, has elicited a very animated controversy with respect to the mode of treating convicts, so as to accomplish most effectually the various objects for which they are sentenced, to the confines of prison. These objects are admitted to be as follows:

First—Labor, so that the prisoner may contribute to his maintenance and the expences of the establishment; secondly, that the mode of treatment of the convicts should be such as to insure their health; and, thirdly, that the system of discipline put in operation, in the mode of confinement, the manner of employment during the week, and the advantages that should be afforded them on the Sabbath of preaching and teaching, so as best to insure the reformation of the convicts in their habits and principles, your committee believe that Mr. Scott has exerted himself to put this system in operation; and they cannot dismiss this subject without noticing his willingness to furnish all the information required, so far as within his control.

There are now 91 convicts in the penitentiary; 40 have been committed since the first day of November, 1828; 31, since November, 1828, have served out their respective terms; five have received the pardon of the Executive, and one died. Of the number now in the penitentiary, sixteen are under twenty-one years of age; forty-one under thirty years of age; and thirty-four, between thirty and seventy years of age. Forty-seven could read when they were put into the penitentiary, most of them badly, and the keeper informs the committee that there are but few who cannot at least spell.

In conclusion, your committee would suggest the propriety of erecting an hospital, if the profits of the establishment will justify it, as it is presumed that one could be erected for 1000 or 1200 dollars, that would be sufficient for the institution. They would also recommend the adoption of the following resolution:

Resolved, That it is expedient and proper, that three commissioners should be appointed to examine with diligence into the expences and income of the penitentiary, so as to ascertain as near as possible, the exact amount of the clear profits of the establishment; and if practicable, to report to this session of the Legislature.

J. W. IRWIN, *Chairman*.

The resolution recommended for adoption by said committee, was then twice read and adopted.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. J. T. Morehead, from the committee on internal improvements—1. A bill to authorize an appropriation for the purpose of removing some of the principal obstructions to the navigation of Little River.

By Mr. Heady—2. A bill to divorce Delia Humphrey, from her husband, Eli Humphrey.

By Mr. White—3. A bill to incorporate the Louisville Mutual Fire Insurance Company. And,

By Mr. Tibbatts—4. A bill to incorporate a company to erect a bridge across Licking river, between Newport and Covington.

Which bills were severally received and read the first time and ordered to be read a second time.

And thereupon the rule of the house, constitutional provision and second reading of the second, third and fourth bills having been dispensed with, the second was committed to the committee of religion; the third to the committee for courts of justice; and the fourth to the committee on internal improvements.

And then the house adjourned.

FRIDAY, DECEMBER 18, 1829.

A message from the Senate by Mr. Pollard, assistant clerk:

Mr. Speaker—The Senate have passed bills which originated in this house, of the following titles:

An act for the benefit of Edward M. Holden.

An act to authorize the trustees of the Rittenhouse Academy to transfer and convey the property, both real and personal, belonging to said academy, to the trustees of the Kentucky Baptist Education society, located at Georgetown, Scott county.

And they have passed bills of the following titles:

An act further to regulate the Bank of the Commonwealth.

An act to regulate attachments in civil cases, and

An act to authorize the insertion of advertisements in the Winchester Republican, printed in Winchester.

In which bills, they request the concurrence of this house.

1. Mr. Forrest presented the petition of Patsy Runnolds, praying a divorce from her husband, John Runnolds.

2. Mr. Hardy presented the petition of sundry citizens of Barren, Cumberland, Adair and Green counties, praying for the formation of a new county out of a part of each of said counties.

3. Mr. White presented the petition of sundry citizens of Jefferson county, praying that a separate representation in the Legislature of this State, may be granted to the city of Louisville in said county, pursuant to the provision of the constitution of this State.

4. Mr. Guthrie, presented the petition of the trustees of the Male and Female orphan asylum, at Middletown, in Jefferson county, and of sundry other citizens of said county, praying that a law may pass incorporating and making a donation to said institution.

5. Mr. Guthrie presented the petition of the managers of the Louisville Hospital, praying a donation of five thousand dollars to said institution.

6. Mr. Hardy presented the petition of Jane Vanzant, praying that a law may pass, authorizing her as administratrix of her deceased husband, to sell and convey a house and lot in Edmunton, in Barren county.

7. Mr. Worthington presented the petition of sundry citizens of Mercer county, praying that the students of the benevolent institution for the education of poor youth, in said county, may be exempted from working on roads.

8. Mr. Mize presented the petition of Rebecca Hill, praying a divorce from her husband, James Hill.

9. Mr. Griffith presented the petition of Elizabeth Tolar, praying a divorce from her husband, David Tolar.

10. Mr. Beaseman presented the petition of the widow and heirs of James Holmes, deceased, praying that a law may pass, authorizing them to sell and convey a tract of land.

Which were severally received, the reading thereof dispensed with, and referred, the 1st, 8th and 9th, to the committee of religion; the 2d, 3d, 6th and 7th, to the committee of propositions and grievances; the 4th, to the committee on education; the 5th, to the committee of ways and means; and the 10th, to the committee of courts of justice.

Mr. Barlow, from the joint committee of enrollments, reported that the committee had examined an enrolled bill, entitled "an act to continue in force an act for the benefit of the Headright and Tellico settlers, and for other purposes," and have found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

Mr. J. Calhoun, from the committee of propositions and grievances, made the following report:

The committee of propositions and grievances, have had under consideration, the petition of sundry citizens, praying that a new county be established out of parts of the counties of Wayne and Cumberland, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Which being twice read, was concurred in.

Mr. C. Morehead, from the committee on education, to whom was referred a bill to incorporate the Female Literary and Benevolent institution of Nazareth, near Bardstown—Also, a bill to incorporate the Female Literary and Benevolent institution

of Loretto, in Washington county, reported the said bills with amendments to each, which being severally twice read, were concurred in:

And the said bills as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Clerk carry the said bills to the Senate and request their concurrence.

Mr. Forrest, from the select committee appointed for that purpose, reported a bill to change the system of working public roads and for other purposes.

Which was received, and read the first time, as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the several county courts of this Commonwealth, a majority of all the justices in commission being present, and a majority of those present concurring therein, shall at their March or any succeeding term in each year, elect three fit and proper persons, not of their own body, surveyors of the public highways of their respective counties, who shall continue in office one year, and until their successors are appointed; and the court shall fill the vacancy that may happen in said surveyors, from death, resignation, removal from the county, or removal for good cause by the court.

Sec. 2. That it shall be the duty of the county court, a majority of all the justices in commission being present, and a majority of those present concurring therein, at their March or any succeeding term, to lay a road tax of not more than one dollar upon each person now liable to work upon public roads, and upon the taxable property of the citizens of the county, according to the principles of taxation, adopted and prescribed by the revenue laws of the State, any sum not exceeding five cents upon each hundred dollars worth, which in their opinion may be necessary to open and keep in repair the public highways in their respective counties, which sum shall be exclusively applied to said purpose. The road tax shall be collected by the proper officer for collecting county levies in other cases, and the said officers and their securities, or either of them, shall be liable on the motion or suit of the road surveyors, to the same judgments and penalties that sheriffs and other collectors and their securities are now liable to, for a failure of duty in collecting, accounting for, and paying over the county levy for other purposes; and shall receive the same commission and fees for collecting and paying over the same. And the several county courts shall list with the sheriff or collector of the county levy, the tax so laid, remaining unpaid in

labor or money, in each year, within nine months after the same shall have been levied, and take from the sheriff or collector, bond and approved security, for the faithful collection of the tax, and to account for and pay over the same from time to time, as the court may require; and the sheriff or collector shall have the right, within four months after the same shall have been listed with him for collection, to return a delinquent list, and the court shall allow or reject the list as in the case of delinquent lists of the county levy; and he shall be allowed the same commission for collecting the taxes levied by the county court under this act, as is now allowed for collecting the revenue of this Commonwealth.

Sec. 3. That the said surveyors shall lay off their respective counties into as many road precincts as they may deem proper, limiting them by certain definite boundaries, and may alter the same at pleasure; they shall cause a fair plat of the roads and precincts of their respective counties to be made out when they shall deem it necessary, which, together with such alterations as may be made therein from time to time, except such State roads as have been or may be established, shall be recorded in a book, to be by them kept, where all proceedings in relation to public roads shall be recorded.

Sec. 4. That the said surveyors shall have power to employ a superintendant over each one or more precincts, to open and keep in repair the roads within the same, and to authorize them to employ hands by the day, month or otherwise, and to engage wagons, carts, ploughs, teams, and such other implements, as they may deem necessary. The road surveyors shall direct the manner in which the road shall be repaired, where bridges, causeways and culverts shall be built, and the mode thereof; what roads shall be raised in the centre and depressed at the sides, with ditches sufficient to carry off the water, allowing a greater portion of labour and attention to such roads as are of the most general use, and on which the greatest quantity of the imports and exports of the country are transported. They may contract with one or more persons to open, keep in repair, and build causeways, culverts and bridges, on any part of the road, allowing a just equivalent in money or labor for the same. They may allow the superintendants of precincts, any sum not exceeding ten cents per hour for his services when engaged, and shall have the right to move them at pleasure.

Sec. 5. That superintendants of roads shall make out a fair list of all persons within their precincts liable to pay a road tax, and shall add to his list from time to time, the names of all others who may remove into or reside therein for one month; to which list, the road surveyors shall annex the amount of road tax due from each person, as taken from the last returned commissioner's book or otherwise, together with the order of the board of sur-

veyors for the amount they may allow said superintendant, to expend within the bounds of his precinct or precincts. It shall be the duty of the superintendant to notify all persons in writing, within his precinct or precincts, liable to pay a road tax, at least one day previously, of his intention to work the road, and the kind of tools and implements he may wish them to use thereon, and each person by himself, or by an able-bodied substitute, shall have the privilege of working out his road tax at the rate of six and one-fourth cents per hour, until the sum is expended which was directed by the surveyors. The superintendant shall keep a correct account of the date, of the hours, and the amount of labor performed by himself and received from others, and shall give a receipt for the same when required, which shall be credited by the road surveyors, which account shall be opened for all persons living within the precinct; he shall give a receipt to any person who may wish to remove out of his precinct, for the amount of labor or money he has paid, stating also the amount of road tax, if any, that remains due. The superintendant shall have the right, and it shall be his duty, to discharge any person who shall fail or refuse to bring the necessary tools, or refuse to perform the labor that may be required of him in working on said roads.

Sec. 6. The road surveyors shall keep an account current with each superintendant and themselves, and between themselves and the county, and return the same to the county court preceding or at the time, for listing for collection. They shall give to the court such information from time to time, in relation to the road, as they may deem necessary, or the court may require, and shall half-yearly make out a statement of the time they may have been employed as road surveyors, and if it shall appear to the court by satisfactory evidence, that they have been beneficially employed, they may allow said surveyors any sum not exceeding one dollar per day for their services. The surveyors shall, at the end of their term, or at the end of each year, present to the court their book, for their inspection, together with a condensed account of the amount of money and labor received, and how the same has been appropriated, which account shall be filed in the clerk's office of the county court.

Sec. 7. That the surveyors and superintendants of roads, shall before they enter upon the discharge of their several duties, make oath before the county court or some justice thereof, that they will faithfully discharge the duties imposed by this act, and they shall deliver over to their successors, all books or accounts, in relation to public roads; and the surveyors shall, before entering upon their duties, give bond with good and sufficient security, to be approved of by the county court in a penalty of double the amount of the road tax, payable to the Commonwealth of Kentucky, conditioned for the faithful performance of the duties re-

quired by this act, which bond may be put in suit from time to time, for any breach thereof.

Sec. 8. That any presentment or suit for not keeping the roads in repair, shall be against the road surveyors, appointed under this act.

Sec. 9. That in addition to the revenue tax now imposed upon the lands of non-residents, within this state, there shall be levied, collected and paid, in the same manner in which the revenue tax upon non-residents' lands is now levied, collected and paid; a tax of five cents upon each hundred dollars of the value thereof; and the additional revenues so imposed, shall, when collected, be paid to the order of the several county courts of the counties in which the lands of non residents lie. The tax collected on the lands therein, to be applied as other road taxes authorized to be levied and collected by this act: *provided*, however, that the revenue aforesaid, shall not be paid to the use of said county courts, unless they shall have levied the tax required by the second section of this act, in which event, it shall revert to such non-resident.

Sec. 10. *Be it further enacted*, That the superintendants of roads shall be authorized to open and keep open through the adjoining ground, a ditch, sufficient to drain off the water that may collect on low parts of their roads: *provided*, however, that before the superintendant shall proceed to open any such ditch, he shall call on the owner or owners of the adjoining lands, through which he may propose ditching, and procure such owner's consent; and provided said owner will not consent to the same, said superintendant shall report to the county court, the name of such owner and the importance of such ditch, and if the court shall, upon hearing the evidence, be of opinion that such ditch be necessary for keeping in repair, said road, they shall cause a summons to issue for such owner or owners, to appear at their next court, to shew cause, if any, he, she or they can, why such ditch should not be opened, and if the court shall still be of opinion that such ditch should be opened, they shall direct a writ of *ad quod damnum* to issue, directing the sheriff to summon a jury, as in other cases of *ad quod damnum*, to meet on said land and to assess the damage to such owner or owners, and make report thereof, together with the manner of opening said ditch, and if such court be of opinion, that it is the interest of such county that such ditch should be opened, they shall provide for the payment of such damages, and direct said overseer to open said ditch, agreeably to the report of said jury.

Sec. 11. That there shall be, and is hereby appropriated out of the money in the Bank of the Commonwealth, the sum of two hundred thousand dollars, for the improvement of the roads, bridges, public highways and navigable streams in this Commonwealth, to be apportioned among the several counties in propor-

tion to the number of qualified voters in each county, according to the commissioners' books, returned to the Auditor's office, for the year 1829; the proportion of each county to be paid to the order of the county court, upon a certificate of said court being produced to the President and Directors of said Bank, that the said court has laid a levy of at least three cents on each hundred dollars worth of property, according to the second section of this act, and a tax of fifty cents on each male person now liable to work on roads; and it shall be the duty of the President and Directors to pay, to the orders of each county court, its proportion of the 200,000 dollars aforesaid, according to the foregoing rate, upon the production of the certificate aforesaid, and it shall be the duty of the several county courts and the surveyors appointed under this act, to apply the money received under this act from the bank, to the improvement of the roads, bridges, public highways, or navigable streams, as contemplated in this act.

Sec. 12. That the several county courts, a majority of all the justices in commission being present, concurring therein, may, if to such court it shall seem most advisable, appropriate the funds to which they may be entitled under the provision of the eleventh section of this act, to the erection of permanent bridges, or to the removal of obstructions in the navigable streams within their respective counties, or to vest the same in the stock of any turnpike road company now incorporated, or hereafter to be incorporated within this Commonwealth, and the interest or profits arising from said stock so taken, shall, under the control and direction of said court, be appropriated for the improvement of roads, navigable streams or bridges, within their respective counties.

Sec. 13. That the money to be received from the Bank of the Commonwealth, as above provided, shall be paid by the respective county courts, to the road surveyors of each county respectively, to be appropriated to the improvement of the public roads, bridges, highways and navigable streams, as contemplated by this act, and for the faithful application thereof, the said surveyors and their securities shall be liable, on bonds to be given, as provided in this act.

And the question being taken on reading the said bill a second time, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. McDonald and Williams, (of Wayne,) were as follows:

YEAS—Messrs. B. Allen, W. B. Allen, Beall, Boyd, Burton, G. Calhoon, Crow, Dougherty, Durham, Forrest, Griffith, Hardy, Head, Heady, Hise, James, Kouns, Lewright, Long, McDonald, Oglesby, Preston, Rice, Roberts, Rucker, Tibbatts, Wheeler, Wilcoxon and Yates—29.

NAYS—Messrs. Anderson, Barlow, Bailey, Beaseman, Beauchamp, Brown, Bruce, Burns, Butler, J. Calhoon, Cassidy, Cham-

bers, Coleman, Combs, Cox, Daniel, Declary, Elliott, Field, Fisher, Guthrie, Harlan, Harris, Harrison, Hawes, Hays, Hill, Hughes, Irwin, Johnston, J. H. Jones, H. Jones, Kennedy, Laughlin, McBrayer, Mize, C. S. Morehead, J. T. Morehead, Morris, Murphy, Owsley, Parker, Parks, Penn, Porter, Ray, Robertson, Rodes, Shanks, Shannon, Short, Smith, Taylor, Thomas, Tomlinson, True, Venable, Walker, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson, W. C. Wilson, Woolfolk, Worthington, and Wright—66.

Mr. Heady, from the select committee to whom was referred, a bill to make an appropriation to build a bridge across Salt river, at Taylorsville, reported the same with an amendment.

Which being twice read, was concurred in.

It was then moved and seconded, to postpone the farther consideration of said bill until the first day of June next: and the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Daniel, and Williams, (of Wayne,) were as follows, viz:

YEAS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Daniel, Dougherty, Harris, Irwin, H. Jones, Laughlin, Owsley, Walker, S. Williams, W. J. Williams, Wright and Yates—16.

NAYS—Messrs. Bailey, Beaseman, Beall, Beauchamp, Boyd, Brown, Bruce, Burns, Burton, Butler, G. Calhoun, J. Calhoun, Cassidy, Chambers, Coleman, Combs, Cox, Crow, Declary, Durham, Elliott, Field, Forrest, Griffith, Guthrie, Hardy, Harlan, Harrison, Hawes, Hays, Head, Heady, Hill, Hise, Hughes, James, Johnston, J. H. Jones, Kennedy, Kouns, Long, McBrayer, McDaniel, Mize, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Parker, Parks, Penn, Porter, Preston, Ray, Rice, Roberts, Robertson, Rodes, Rucker, Shanks, Shannon, Short, Sisk, Smith, Taylor, Thomas, Tibbatts, Tomlinson, True, Venable, Wheeler, White, Wilcoxon, G. W. Williams, E. J. Wilson, W. C. Wilson, Woolfolk and Worthington—79.

Ordered, That the said bill as amended, be recommitted to the committee on internal improvements.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. J. Calhoun, from the committee of propositions and grievances—1. A bill for the benefit of Charity Todd.

By Mr. Guthrie, from the committee of courts of justice—2. A bill requiring salt works to be enclosed.

3. A bill to amend an act requiring certain duties of the clerks of this Commonwealth.

4. A bill for the benefit of Peggy Gillock.

By Mr. Tibbatts—5. A bill to amend the laws defining the powers of the trustees of the town of Newport.

By Mr. Oglesby—6. A bill to establish the towns of Floydburg and Brownsboro', in Oldham county.

Which bills were severally received and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of said bills having been dispensed with, the 1st, 3d, 4th and 5th, were severally ordered to be engrossed and read a third time; the 2d, was committed to a select committee of Messrs. Bruce, Burns, and Thomas; and the 6th, to a select committee of Messrs. Johnston, Oglesby and James.

And thereupon, the rule of the house, constitutional provision and third reading of the first, third, fourth and fifth bills having been dispensed with and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Clerk carry the said bills to the Senate and request their concurrence.

The amendments proposed by the Senate to a bill which originated in this house, entitled, "an act to allow the independent Banks in this Commonwealth, further time to settle their concerns;" were taken up, twice read and disagreed to.

Ordered, That the Clerk inform the Senate thereof.

An engrossed bill entitled "an act to establish a sixteenth Judicial district" was read a third time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate, and request their concurrence.

The house then, according to the standing order of the day, resolved itself into a committee of the whole house; Mr. Tibbatts in the chair. After some time spent therein, the Speaker resumed the chair, and Mr. Tibbatts reported that the committee had, according to order, had under consideration "a bill to increase the jurisdiction of justices of the peace" and had gone through the same with an amendment, which he handed in at the clerk's table, and

Which being twice read, was concurred in.

The said bill as amended, was then read as follows:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the first day of May next, justices of the peace in this Commonwealth shall have concurrent and original jurisdiction of all sums not exceeding one hundred dollars due by note or other instrument of writing for the direct payment of money, under the same rules and regulations as are now prescribed by law in cases not exceeding fifty dollars: *provided*, that when a constable shall return an execution endorsed no property found, and the sum exceeds fifty dollars, it shall be lawful for the justice of the peace, at the request of the plaintiff or plaintiffs, his, her or their agent, to transmit to the clerk of the circuit court, a copy of the record of said case, and the clerk of

said court shall issue an execution directed to the sheriff, whose duty it shall be to act upon said execution as is now directed by law, under the same liabilities, and entitled to the same emolument.

Sec. 2. *Be it further enacted*, That the justices of the peace and constables shall be entitled to receive the same fees for their services in the prosecution and trial of all cases arising under this act as are now allowed by law for similar services, provided that no constable shall be allowed a commission of more than four per cent. on any execution where the sum is over fifty dollars, and if the debt be replevied, a delivery bond given, or the execution staid by order of the plaintiff, by injunction or otherwise, only half commission shall be allowed.

Sec. 3. *Be it further enacted*, That under the operation of this law, constables shall renew their bonds annually instead of biennially, in the same manner and each bond to have the same force and bearing in all respects as is now directed by law.

Sec. 4. *Be it further enacted*, That whenever any constable in this state shall fail or refuse to renew his bond, as is directed by the third section of this act, it shall be the duty of the county court where such constable may reside, to cause such constable, so failing or refusing, to renew his bond according to law or to appoint another constable to supercede him, whose office shall be forfeited so soon as his successor shall be lawfully qualified to execute the duties of the same.

Sec. 5. *Be it further enacted*, That this act shall not be so construed as to alter, or in any manner to interfere with the jurisdiction of magistrates in cases not exceeding fifty dollars.

The question was then taken on engrossing the said bill as amended and reading it a third time, which was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon, by Messrs. Williams, (of Wayne,) and Kennedy, were as follows, viz:

YEAS—Messrs. B. Allen, Baily, Beaseman, Brown, Burton, Crow, Daniel, Declary, Durham, Fisher, Forrest, Harlan, Harrison, Hays, Hill, Hise, Irwin, James, Kennedy, Lewright, McDonald, Parks, Ray, Rice, Rucker, Sisk, Tomlinson, True, Walker, White, G. W. Williams, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk and Wright—36.

NAYS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Barlow, Beall, Beauchamp, Boyd, Bruce, Burns, Butler, G. Calhoon, J. Calhoon, Cassidy, Chambers, Cox, Dougherty, Elliott, Field, Griffith, Guthrie, Hardy, Harris, Hawes, Head, Heady, Hughes, Johnson, J. H. Jones, H. Jones, Kouns, Laughlin, Long, McBrayer, Mize, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Owsley, Parker, Penn, Porter, Preston, Roberts, Robertson, Rodes, Shanks, Shannon, Short, Smith, Taylor, Thomas,

Tibbatts, Venable, Wheeler, Wilcoxon, E. J. Wilson, Worthington and Yates—60.

And then the House adjourned.

SATURDAY, DECEMBER 19, 1829.

A message from the Senate, by Mr. Pollard, their assistant clerk:

Mr. Speaker—The Senate concur in the adoption of a resolution which originated in this house, for burning a portion of the notes of the Bank of the Commonwealth. They have passed bills which originated in this house of the following titles:

An act for the benefit of the South fork, separate Baptist church in Casey county.

An act to authorize the several county courts in this Commonwealth, to extend the districts of town constables beyond the town boundaries.

An act for the benefit of Port-William in Gallatin county.

An act for the benefit of Shippingsport.

With amendments to the three latter bills.

And they have passed bills of the following titles:

An act to curtail the power of the county court of Henry.

And an act to incorporate the trustees of the Union meeting house in Warren county.

In which amendments and bills, they request the concurrence of this house.

1. Mr. Owsley presented the remonstrance of sundry citizens of Cumberland county, remonstrating against the formation of a new county, out of parts of the counties of Cumberland, Adair, Barren and Green.

2. Mr. Thomas presented the petition of Micajah V. Harrison, D. M. Harrison and Albert G. Harrison, praying that a law may pass authorizing said Albert G. Harrison, as trustee of said M. V. Harrison and D. M. Harrison, to sell a tract of land and some slaves, for the benefit of said M. V. and D. M. Harrison.

3. Mr. Porter presented the remonstrance of sundry citizens of Butler and Ohio counties, against a proposed alteration in the state road from Owenborough to Franklin in Simpson county.

4. Mr. Beauchamp presented the petition of sundry citizens of Hart county, praying an appropriation of two or three hundred dollars, to improve the Elklick hill.

5. Mr. Tibbatts presented the petition of Elizabeth Youngman, praying a divorce from her husband, John Youngman.

6. Mr. Field presented the petition of sundry citizens of the town of Versailles, praying the modification of a law of last session relative to the boundary of said town.

7. Mr. Robertson presented the petition of Nathaniel Wilson, praying that a law may pass authorizing him to have a survey

made of fifty acres of waste and unappropriated land; and that the Register issue a patent therefor, he having lost a tract of that size, by a superior and better claim.

8. Mr. Burns presented the petition of sundry citizens of Morgan county, praying an appropriation for the improvement of the navigation of Licking river.

9. Mr. White presented the petition of Robert G. Vance and Lucinda White, praying that a law may pass authorizing said Vance, as administrator of William D. White, to sell and convey a portion of the real estate of said White, for the payment of his debts; and also, to convey certain lots and lands, sold by the intestate before his death.

10. Mr. Hays presented the petition of William Underwood, praying an annual appropriation by the Legislature, to enable him to support his two idiot children.

11. The Speaker laid before the House the petition of Silas W. Robbins, one of the circuit judges, praying remuneration out of the public Treasury, for expences incurred by him in defending himself against certain charges preferred against him as circuit judge, in 1824.

Which petitions were severally received, the reading thereof dispensed with and referred, the 1st and 10th, to the committee of propositions and grievances; the 5th, to the committee of religion; the 7th and 11th, to the committee of claims; the 8th, to the committee of internal improvements; the 9th, to the committee of courts of justice; the 2d, to a select committee of Messrs. Thomas, Morehead, Tibbatts and Hawes; the 3d, to a select committee of Messrs. Shanks, Williams, of Simpson, Yates and Griffith; the 4th, to a select committee of Messrs. Beauchamp, Preston and Morris; and the 6th, to a select committee of Messrs. Field, Brown and Combs.

The Speaker laid before the House the report of the trustees of the Cumberland Hospital at Smithland, exhibiting the state of that institution, the amount of expenditures, and the manner in which the same have been made.

Which was received, read and laid on the table.

Mr. J. Calhoun, from the committee of propositions and grievances, made the following report, viz:

1. The committee of propositions and grievances have had under consideration, the petition referred to them, of sundry citizens of Lawrence county, praying that the place of voting at an election precinct in said county, be changed from the house of John Luster, to the house of Stephen Hughes, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

2. Also the petition of sundry citizens praying that the beneficiaries, in a literary institution in the neighborhood of Centre

College, be exempted from working on roads, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

3. Also the petition of Jane Vansant, praying that a law may pass permitting her to sell a house and lot in Edmunton, Barren county, which belongs to her infant child, and have come to the following resolution thereon:

Resolved, That said petition be rejected.

4. Also, the petition of sundry citizens of Morgan county, praying that a law may pass allowing them an additional justice of the peace and constable, and have come to the following resolution thereon:

Resolved, That said petition be rejected.

Which being twice read was concurred in.

Mr. Guthrie, from the committee for courts of justice, made the following report:

The committee for courts of justice have had under consideration, the petition of Sandford C. Faulkner and wife, to them referred, and have come to the following resolution:

Resolved, That said petition be rejected.

Which being twice read, was concurred in.

Mr. Guthrie, from the same committee, to whom was referred a bill to authorize the county court of Green county, so to regulate the constables' districts in said county, as to reduce the number to eight.

Also, a bill to provide for periodically digesting the laws of this Commonwealth; reported the said bills without amendment.

Ordered, That the former bill be engrossed and read a third time on Monday next, and that the latter be laid on the table, and that the public printer forthwith print 150 copies of said bill for the use of the members of this house.

Mr. Hardy, from the committee of religion, made the following report:

1. The committee of religion, have according to order, had under their consideration, the petition of Henry Hayley praying a divorce. It appears from the petition and affidavit accompanying it, that the petitioner was married to a woman, who passed herself under an assumed name and who had at the time, a husband living and is still living, all of which (it appears,) was unknown to the petitioner when he married her, and on being informed of his situation, and confirmed by the acknowledgment of the woman he had married, he separated himself from her.—Your committee think that the petitioner is under no obligation, by reason of his marriage; they have therefore, directed me to ask leave to be discharged from the further consideration of said petition.

The committee have also had under their consideration, sun-

dry other petitions to them referred, and have come to resolutions thereon:

2. *Resolved*, That the petition of Rebecca Hill, be rejected.
3. *Resolved*, That the petition of Elizabeth Taylor, be rejected.
4. *Resolved*, That the petition of Sarah Montjoy, be rejected.
5. *Resolved*, That the petition of James Rice, be rejected.

Which being twice read, was concurred in.

Mr. Hardy, from the same committee, to whom was referred a bill divorcing Delia Humphrey from her husband, Ely Humphrey, reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That the said bill do pass and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. Love, from the committee of claims, to whom was referred a bill for the benefit of John Byrne, reported the same without amendment.

The question was then taken on engrossing the said bill and reading the same a third time, which was decided in the negative; and so the said bill was rejected.

Mr. Combs, from the committee of ways and means, made the following report:

The committee of ways and means, have had under consideration, according to a resolution of the House, so much of the Governor's message as relates to the Bank of the Commonwealth, and beg leave to submit the following report:

The table A. referred to the committee as part of the report of the President of the Bank of the Commonwealth, shows,

1st. the amount of notes issued by the Bank and still uncanceled, to be	\$770,414 05
Of which sum there is in the vaults of the principal Bank, \$303,519 52, and in all the branches collectively 119,509 80	423,029 32
Balance,	\$347,384 73
This sum is diminished by the amount received in payment of debts, and now in the vaults of the State Bank,	45,895 14

Leaving actually in circulation, only \$301,489 62

Of the \$2,943,459 55, originally issued, of this sum it is fair to presume, judging from past experience, that from 1-2 to 1 per cent has been destroyed, by the usual casualties attending a pa-

per medium, say only \$15,000, and there will then remain out \$286,489 62.

The committee considered that of the \$303,519 52 in the vaults of the principal Bank, it was expedient to cancel by burning \$270,415 05 and therefore recommended the adoption of the resolution, which has already passed the House, leaving still uncancelled, only \$500,000, or a fraction over 1-6 of the sum issued.

If the chartered powers of the institution had been rigidly observed, by the principal Bank and all its branches, it is not difficult to perceive, that at this time, there would be a much smaller amount of notes in circulation as well as of debts due. The great disparity observable in the aggregate amounts reported to be due at the various Branches, contrasted with what they received from the principal Bank, and a minute examination of the reports submitted by them, forcibly indicate the necessity of some immediate and radical change of executive system, by which the affairs of the institution can be thoroughly investigated and existing abuses, reformed and remedied. The general expenses of the principal Bank and branches amounted, the past year, to \$22,412 05; if put in commission, as proposed, these expenses will be reduced about one half, *ie*, to \$11,206.

2d. That there is due from individual debtors, exclusive of interest and costs, on notes in suit, the sum of	1,019,659 10
Of which there is in suit,	454,787 69

Leaving under discount,	\$564,871 41
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or a little more than one half, from which is to be deducted, the amount in suit at the Lexington Branch, the same not being exhibited by its annual report.

Not satisfied with the information communicated in the table as above noticed, the committee caused the table B. to be prepared, and now refer to it as a part of this report. By this table is presented at a glance, a complete view of the operations of the Bank, from its commencement to the present time, the total amount of profits exhibited, being

	\$305,028 64
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Annually diminishing from \$131,481 12, the gross amount received the first year to \$35,829 44, the gross amount received the last fiscal year.

The total amount of expenses during the whole period, being	247,219 36
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Leaving as net profits,	\$557,309 28
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Appropriated and disposed of as follows:

To the state Treasury,	\$376,142 98
To the Literary fund (140,917 44. still on hand)	143,917 44

To institutions of learning and hospitals,	37,148 36
And to improve Rough creek,	600 00
Total as above,	<u>\$557,809 28</u>

Your committee have also prepared, with some labour, a scale of debts, and exhibit it as a part of this report, (see table B.) as follows, viz:

	<i>Number.</i>
Total notes due the principal Bank and branches over \$500,	519
Do. under \$500 and over \$100,	2218
Do. under \$100 and over \$20,	3684
Do. under \$20 and over \$5,	1726
Do. under \$5,	287
Whole number,	<u>8434</u>
The amount reported <i>good</i> , is	\$948,278 10
Do. Do. <i>doubtful</i> ,	28,958 00
Do. Do. <i>bad</i> ,	<u>42,422 00</u>

Aggregate amount, \$1,019,659 10
not including interest and costs on notes under suit, as before stated.

To the above items of doubtful and bad debts, add those of the Harrodsburg and Hartford branches, from which there are no special reports; the first represented as very considerable, the latter, trifling in amount.

From all the facts before recited and alluded to, and which will more at large appear by reference to the tables herewith returned, and the several annual reports of the principal Bank and branches, your committee *unanimously* concur in opinion, that whether the safety and interest of the Bank, or the convenience of its debtors, be consulted, it is important that all its branches be withdrawn as soon as practicable and agents appointed to close its concerns. For this purpose, they have presented a bill to the House.

The Bank owns real estate to the nominal value of \$58,728 52 which ought to be disposed of as soon as its nature and situation will permit; and it cannot be questioned, that it is equally prejudicial to the government and its citizens, for the first to be the landlord to the latter. Your committee have, for that purpose, presented a bill to the House.

They also recommend that provision be made by law, for cancelling the notes of the Bank from time to time, as they shall be withdrawn, by burning them in the presence of the Governor, Auditor and Treasurer, and thereby avoiding the risk of robbery

and other accidents which might throw them improperly into circulation, not to mention the useless consumption of time, annually by the legislature, in passing resolutions on the subject.— This course has been pursued by the state Bank, so that at this time, there is in the vaults of that institution, but \$409 75, of the millions, which it once had in circulation.

The items constituting the capital stock of the Bank of the Commonwealth, are shewn by the table D. herewith submitted.

The official report of the President of the Bank of the Commonwealth, which was referred by the House, to this committee, contains the following paragraph:

“The account from the Louisville Branch Bank, exhibits a loss of \$26,693 11, of which that Branch was robbed on the night of the 17th of September last. Mr. Payne, the cashier of the bank at Louisville, requests through me, an investigation of the facts connected with the subject.”

We therefore, felt bound, although satisfied of the difficulty and delicacy of the task, to give some attention to the subject, and therefore caused the officers of the mother Bank to come before us as witnesses, and to produce such written documents and proofs touching the matter as might be in their possession. The cashier (Col. Taylor,) furnished the affidavits and statements, Nos. 1, 2, 3, 4, 5, 6, 7 and 8, which had been forwarded to him by the President of the Louisville Branch Bank, and Mr. Payne produced the statements and affidavits, A. B. C. and D. We also, examined sundry witnesses, from Louisville and elsewhere. From all the facts exhibited to them, your committee *unanimously* concur in the opinion, that William D. Payne, the cashier of the Louisville Branch Bank, is not culpable in that unfortunate affair; on the contrary, he clearly accounted to the committee, by testimony, for all the circumstances calculated to cast a shade on his character and conduct.

All which is respectfully submitted,

LESLIE COMBS.

*Chairman Committee Ways and Means.
(See opposite tables.)*

Which was received and laid on the table.

Ordered, That the public printer forthwith print 150 copies of said report, for the use of the members of this House.

Mr. Smith, from the select committee, to whom was referred a bill further to regulate the Turnpike and Wilderness Road, reported the same with sundry amendments, which being severally twice read, were concurred in.

And the said bill as amended, was ordered to be engrossed and read a third time on Monday next.

Mr. Hise, from the select committee appointed for that purpose,

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Of the situation of the Bank of the Commonwealth of Kentucky, on the 10th day of October, 1829.

	DR.						CR.											
	Stock.	Notes payable.	Discounts	Individual depositors.	Due to other Banks.	Literary Fund.	Notes in suit.	Notes under discount.	Due from other banks.	Real estate.	General expences.	Due from Rep. of A. Morehead, dec'd.	Due from Treasurer.	Profit, &c. Loss.	CASH ON HAND.			
															Eastern notes.	Bank of Ky notes	Notes B'k U. S. and specie.	Bank Com. & Branches notes.
Principal Bank	\$ 542,558 63	770,414 05	5,789 38	59,469 31	145,431 01	3,496 92	71,627 00	109,549 78	823,866 72	4,505 46	4,337 16				1,179	161 25	7,962 53	303,519 52
Branch in Bowlinggreen			3,020 78	10,346 08	22,664 58	11,615 98	80,190 31	52,438 83		17,281 44	1,819 59	17,704 06	60,019 87	147 00			41 00	843 62
" Flemingsburg			1,068 98	5,785 47	22,664 58	10,173 59	8,131 01	10,879 00	258 00		841 51						2,750 00	16,833 10
" Falmouth			1,282 99	3,492 65	25,413 53	8,656 74	16,183 00	11,391 00		2,545 00	911 97							7,724 94
" Greensburg			2,137 26	890 41	50,101 58	11,363 69	27,270 16	23,373 50		4,327 81	1,615 75							7,425 72
" Harrodsburg			6,123 46	384 47	171,327 61	13,891 33	72,170 00	103,310 93	2,647 00	3,410 00	1,762 10					406 84		6,020 00
" Hartford			3,865 05	2,649 77	58,044 30	6,182 14	25,000 08	41,935 10		612 38	1,065 40							1,468 39
" Lexington			2,611 75	43,021 83	54,432 79	14,597 70	33,344 00	74,911 94	1,800 53	19,492 66	2,550 26							55,862 73
" Louisville			3,869 17	7,773 80	118,575 05	17,510 98	36,344 05	13,017 40		1,675 74	1,796 05			25,033 11				1,319 97
" Mountsterling			1,360 88	4,049 60	52,193 83	4,288 23	21,658 63	32,355 08			1,331 10							20,801 98
" Princeton			2,775 67	3,991 17	60,437 01	10,621 84	33,999 87	9,615 08			957 95							2,602 00
" Somerset			1,659 56	537 66	37,857 52	7,380 39	29,200 08	16,396 85		4,878 03				185 39				77 58
" Winchester			1,625 39	10,193 02	32,406 62	16,117 91												3,782 24
DOLLARS	542,558 63	770,414 05	37,190 32	152,495 24	828,935 43	140,917 44	454,787 69	561,971 41	828,572 25	58,728 52	22,412 05	17,704 06	60,019 87	26,025 50	1,179	161 25	15,020 19	423,029 32

DR.		RECAPITULATION.		CR.	
To Amount of Stock,	\$542,558 63	By Amount of Notes in Suit,	\$454,787 69		
" Notes payable,	770,414 05	" Amount of Notes under Discount,	564,871 41	\$1,019,659 10	
" Amount of Discounts,	37,190 32	" Amount due from other Banks,		828,572 25	
" Amount due Individual Depositors,	152,495 24	" Amount of Real Estate,		58,728 52	
" Amount due to other Banks,	828,935 43	" Amount of General Expences,		22,412 05	
" Amount due Literary Fund,	140,917 44	" Amount due from the Representatives of A. Morehead, dec'd.		17,704 06	
		" Amount due from Treasurer,		60,019 87	
		" Amount of Profit and Loss,		26,025 50	
		CASH ON HAND, VIZ.			
		Eastern Notes,	\$1,179 00		
		Notes of the Bank of Kentucky,	161 25		
		Notes of the Bank of the United States and Specie,	15,020 19		
		Notes of the Bank of the Commonwealth and Branches	423,029 32	439,389 76	
DOLLARS	2,472,511 11			\$2,472,511 11	

EDMUND H. TAYLOR, Cashier

TABLE, B.]

A STATEMENT

Shewing the total amount of Profits and total amount of Expences, and amount Nett Profits of the Bank of the Commonwealth, from its commencement to the 10th of October, 1829, and how the same have been appropriated.

	Total amt of Profits.	Total amt of Expences.	Amount of Nett Profits	Amount paid into the treasury.	Amount paid literary fund.	Amount paid Transylvania University.	Amount paid Southern College.	Amount paid Centre College.	Amount paid Louisville Hospital.	Amount paid Cumberland Hospital.	Amount appropriated to improvement Rough Creek
From its commencement to the first of July, 1822,	\$181,481 12	40,842 46	140,638 66	61,248 34	70,319 32	7,646 44	618 19	806 37			
" First July, 1822, to first July, 1823,	150,338 53	37,811 20	112,527 33	46,403 07	58,373 21	5,179 76	1,194 29	1,377 00			
" First July, 1823, to first July, 1824,	121,043 39	33,250 31	87,793 08	66,797 91	15,224 91	4,752 24	378 02	640 00			
" First July, 1824, to first July, 1825,	106,882 15	32,684 98	74,197 07	66,148 71		3,575 03			4,473 33		
" First July, 1825, to first July, 1826,	80,859 24	26,737 73	54,121 51	50,613 32					3,583 19		
" First July, 1826, to first July, 1827,	65,188 30	27,573 13	37,615 17	36,115 17						1,500 00	
" First July, 1827, to tenth October, 1827,	19,229 91	7,243 64	11,986 27	10,486 27						1,500 00	
" Tenth October, 1827, to tenth October, 1828,	44,176 66	29,459 91	23,716 75	23,116 75							600 00
" Tenth October, 1828, to tenth October, 1829,	35,829 44	20,616 00	15,213 44	15,213 44							
	\$805,028 64	247,219 36	557,809 28	376,142 98	143,917 44	21,153 47	2,190 50	2,023 37	7,981 52	3,000 00	600 00

DR.		RECAPITULATION.		CR.	
To total amount of Profits,	\$805,028 64	By Total amount of Expences,	\$247,219 36		
	805,028 64	" Amount of Nett Profits,	557,809 28		
			805,028 64		
To amount of Nett Profits,	\$557,809 28	By Amount paid into the Treasury,	\$376,142 98		
		" Amount paid Literary Fund,	143,917 44		
		" Amount paid Transylvania University,	21,153 47		
		" Amount paid Southern College,	2,190 50		
		" Amount paid Centre College,	2,823 37		
		" Amount paid Louisville Hospital,	7,981 52		
		" Amount paid Cumberland Hospital,	3,000 00		
		" Amount appropriated to improvement Rough Creek,	600 00		
	\$557,809 28		\$557,809 28		

It may be proper to remark, that three thousand dollars out of the Literary Fund, has been applied to the Deaf and Dumb Asylum, since the above sums were carried to the credit of that account; which sum was paid out of the proportion of that fund, which had accrued at the Principal Bank—leaving the (present) account of the Literary Fund at \$140,917 44.
December 15th, 1829.

EDMUND H. TAYLOR, Cashier.

TABLE, C.]

Principal Bank of the Commonwealth of Kentucky and Branches.	No. debts over 500 dollars.	No. debts over 100 dollars and under 500 dols.	No. debts over 20 dollars and under 100 dols.	No. debts over 5 dollars and under 20 dols.	No. debts under 5 dollars.	Total number of debts or notes.	Amount good debts.	Amount doubtful debts.	Amount bad debts.
Principal Bank,	110	375	310	85	-	880	177,271 78	1,124	2,781
Branch Bank in Lexington,	37	190	168	29	3	425	73,094 94	1,439	378
Ditto, Louisville,	182	470	708	234	11	1,555	98,089 00	420	164
Ditto, *Harrodsburg,	47	119	309	81	5	561	175,480 93		
Ditto, Winchester,	16	123	240	79	7	465	40,093 93	4,037	466
Ditto, Mountsterling,	23	54	104	56	12	249	49,357 45	60	14
Ditto, Flemingsburg,	2	44	198	160	42	446	17,115 01	1,128	767
Ditto, Falmouth,	4	59	187	140	40	430	25,847 00	1,173	554
Ditto, Greensburg,	18	119	250	196	50	633	43,211 66	7,932	
Ditto, Somerset,	6	123	308	229	44	710	41,574 45	1,739	111
Ditto, Bowlinggreen,	76	228	359	180	33	876	88,678 14	9,441	34,508
Ditto, *Hartford,	35	194	335	140	16	720	67,595 18		
Ditto, Princeton,	13	120	210	117	24	484	50,868 63	466	2,679
	519	2,218	3,684	1,726	287	8,434	\$948,278 10	\$28,959	\$42,322

*No discrimination made in the Report, by which we can ascertain the doubtful or bad debts.

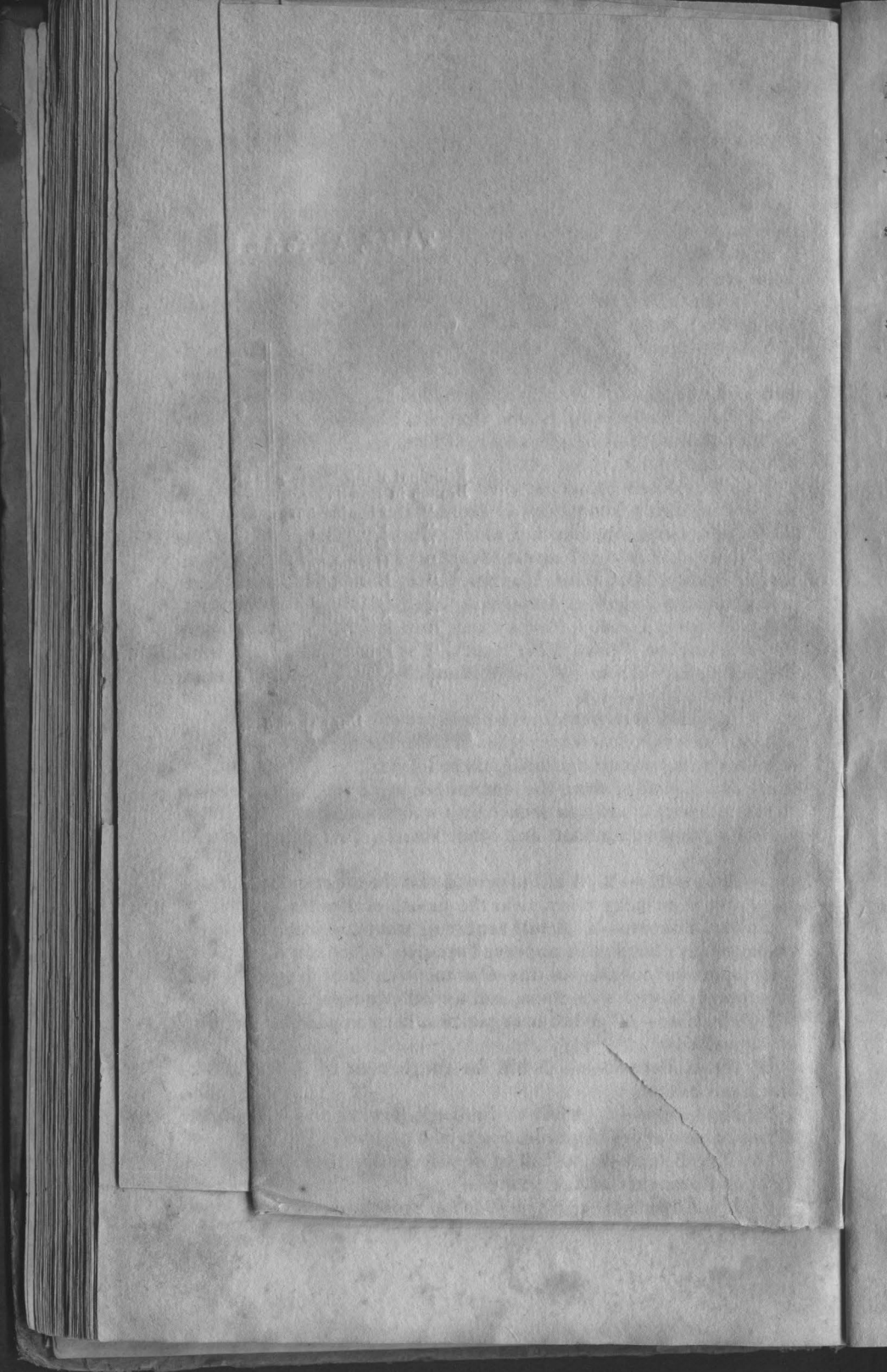
TABLE, D.]

A STATEMENT OF THE BANK STOCK FUND.

What items constitute the stock account.	V. Lands.	Bank Ky.	What items constitute the stock account.	V. Lands.	Bank Ky.
1821, May 21, Cash Received of Treasurer,	9,500		18, " Received from Treasurer,	5,000	
Aug. 11, " do.	3,300		Mar. 17, " do.	5,500	
Nov. 7, " do.	3,500		" Received for dividends,		11,934 00
1822, Jan. 2, " Received for dividends,		21,880 13	July 26, " Received of Treasurer,	12,000	
10, " Received of Treasurer,	5,000		29, " For distribution,		59,670 00
April 4, " do.	6,000		1825, Jan. 11, " do.		59,670 00
June 15, " do.	7,000		July 28, " do.		59,670 00
July 2, " do.	1,500		Sept. 9, " Lands W. Tennessee,	11,400	
July 2, " Received for dividends,		11,934 00	Dec. 28, " do.	17,300	
Sept. 3, " Received of Treasurer,	3,000		do.	11,820	
Oct. 4, " do.	1,500		July 31, " Distribution,		59,670 00
7, " Received for dividends,		17,901 00	do.		59,670 00
1823, Dec. 2, " Received Treasurer W. Tennessee.	2,592		1827, July 17, " do.		29,935 00
Jan. 3, " Received for dividends,		14,917 50	1828, July 9, " do.		29,835 00
			1829, July 1, " do.		29,835 00
				\$105,972	\$436,586 63
			For Vacant Lands, Dividends and Distributions,	\$105,972 00	436,586 63
				\$542 558 63	

December 15, 1829.

EDMUND H. TAYLOR, Cashier.



reported a bill to lessen the amount of salaries of the circuit judges and other officers of this Commonwealth.

Which was received and read the first time.

It was then moved, and seconded, to postpone the further consideration of said bill until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Irwin and Daniel, were as follows:

YEAS—Messrs. Baily, Beall, Brown, Butler, G. Calhoun, J. Calhoun, Combs, Cox, Field, Griffith, Guthrie, Harrison, Hawes, Jonas, J. H. Jones, Love, C. S. Morehead, J. T. Morehead, Morris, Parker, Robertson, Rodes, Shanks, Shannon, Thomas, Tibbatts, Tomlinson, True, Venable, White, G. W. Williams, E. J. Wilson, and Worthington—33.

NAYS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Beaseman, Beauchamp, Boyd, Bruce, Burns, Burton, Cassidy, Chambers, Coleman, Crow, Daniel, Declary, Dougherty, Durham, Elliott, Fisher, Forrest, Hardy, Harlan, Harris, Hays, Head, Heady, Hill, Hise, Hughes, Irwin, James, H. Jones Kennedy, Kouns, Laughlin, Lewright, Long, McBrayer, McDonald, Mize, Murphy, Owsley, Parks, Penn, Porter, Preston, Ray, Rice, Roberts Rucker, Short, Sisk, Smith, Taylor, Walker, Wheeler, Wilcoxon, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Wright and Yates—64.

The said bill was then ordered to be read a second time.

The following bills were reported from the several committees appointed to prepare and bring them in, viz:

By Mr. Guthrie, from the committee of courts of justice—1. A bill more effectually to secure ship-wrights and others in their claims against steamboats and other vessels, navigating the western waters.

By Mr. Butler—2. A bill to provide for the erection of a bridge across the Kentucky river, near the mouth of Benson.

By Mr. Roberts—3. A bill requiring public warehouse keepers to execute bond with approved security to the county court of the respective counties of the Commonwealth of Kentucky, for all property stored with them, and for other purposes.

By Mr. Hise—4. A bill to organize a fire company in the town of Russellville.

By Mr. Robertson—5. A bill for the benefit of Josiah Elliott and Eliza Sexton.

By Mr. Combs—6. A bill to limit the powers and explain the duties of surveyors of public roads and highways.

By Mr. Burns—7. A bill more effectually to suppress riots, routs and breaches of the peace.

By Mr. Robertson—8. A bill for appropriating five thousand

acres of vacant and unappropriated land for the improvement of the public roads in Russell county.

By Mr. Mize—9. A bill to change the name of William Litton Shelly or Oxshair to William Litton White.

By Mr. Preston—10. A bill to amend an act establishing a chancery term in Barren county in October.

By Mr. Irwin—11. A bill appointing commissioners to settle with the keeper of the Penitentiary.

By Mr. Thomas—12. A bill to appropriate some of the vacant lands in this Commonwealth to the use of the Mountsterling Seminary.

By Mr. Beall—13. A bill to amend the laws in relation to the trustees of towns.

Which bills were severally received and read the first time and ordered to be read a second time.

Ordered, That the public printer forthwith print 150 copies of the 6th bill for the use of the members of this House.

And thereupon the rule of the house, constitutional provision, and second reading of the 2d, 4th, 5th, 7th, 8th, 9th, 10th 11th, 12th, and 13th bills having been dispensed with, the second was committed to the committee on internal improvements; the 4th, 5th, 9th, and 11th were severally ordered to be engrossed and read a third time; the 7th and 10th were committed to the committee for courts of justice; the 8th to the committee who reported said bill; the 12th to the committee on education; and the 13th to a select committee of Messrs. Combs, Beall and Cox.

And thereupon the rule of the House, constitutional provision and third reading of the 4th, 5th, 9th and 11th bills having been dispensed with and the same being engrossed,

Resolved, That the said bills do pass and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

Mr. Butler moved the following resolution:

Whereas, the prosperity of the Commonwealth of Kentucky will greatly depend upon the adoption of a permanent system of internal improvement: Therefore,

Resolved, That it is politic and expedient, to raise and constitute a fund, to be exclusively appropriated to that purpose.

Resolved, That the interest of this Commonwealth, in the Bank of Kentucky, the Bank of the Commonwealth of Kentucky, and the lands west of the Tennessee river should be set apart and exclusively applied to the said purpose of internal improvement.

Resolved, That there ought to be a board of commissioners created and appointed to superintend the business of internal improvement; whose duty it should be to direct and control the ap-

appropriation of the fund constituted for said purpose, in conformity with the laws which may be enacted in relation thereto.

Resolved, That the committee on internal improvements be, and they are hereby instructed to bring in a bill, in conformity with the spirit and meaning of the foregoing resolutions.

Which being twice read, was laid on the table.

Mr. Williams (of Wayne,) moved the following resolution:

Resolved, That nine o'clock, A. M. be the standing hour of adjournment of this House.

Which being twice read, was disagreed to.

Leave was given to bring in the following bills:

On the motion of Mr. Jonas—1. A bill to encourage the culture and improved preparation of hemp for manufacture, and

On the motion of Mr. Forrest—2. A bill to lay off this state into districts and to establish in each district a board of Physicians to examine and license all persons wishing to practice physic in this state, and for other purposes.

Messrs. Jonas, Combs and E. Wilson were appointed a committee to prepare and bring in the first; and Messrs. Forrest, Cox, Tomlinson, Ray and Declary, the second.

And then the house adjourned.

MONDAY, DECEMBER 21, 1829.

A message from the Senate by Mr. Pollard, assistant clerk:

Mr. Speaker—The Senate disagree to a bill which originated in this House, entitled “an act to divorce Mary Drysdale from her husband, Reuben Drysdale.” And they have passed a bill entitled “an act for the benefit of Russelville Lodge, No. 17.”

In which bill, they request the concurrence of this House.

Mr. Boyd presented the petition of sundry citizens of Calloway county, praying the establishment and confirmation of the report of the commissioners heretofore appointed to survey and mark out a road from Columbus to the Tennessee river, in the direction to Hopkinsville; and also, an appropriation to aid in making said road. And also, the remonstrance of sundry citizens of Graves county, against the establishment and confirmation of said report of the commissioners.

Which petition and remonstrance was received, read, and referred to a select committee of Messrs. Boyd, James and Hughes.

Mr. Barlow, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Edward M. Holden; and

An act to authorize the trustees of the Rittenhouse Academy to transfer and convey the property, both real and personal, be-

longing to said Academy, to the trustees of the Kentucky Baptist Education Society, located at Georgetown, Scott county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

Mr. J. T. Morehead, from the committee on internal improvements, to whom was referred a bill to amend an act entitled "an act to incorporate the Lexington and Frankfort Turnpike or Rail Road company," reported the same with amendments,

Which being twice read, were concurred in.

The said bill was then ordered to be engrossed and read a third time to-morrow.

Mr. Morehead, from the same committee, to whom was referred a bill to turnpike Muldraw's bill, on the main road from Lexington to Nashville, and for other purposes; also, a bill to provide for the erection of two bridges across Rockcastle river, reported said bills with amendments to each.

Which being severally twice read, were concurred in.

And the said bills as amended, ordered to be engrossed and read a third time to-morrow.

The amendments proposed by the Senate to bills which originated in this House, of the following titles, were twice read and concurred in, viz:

An act for the benefit of Shippingsport.

An act for the benefit of the town of Port-William, in Gallatin county; and

An act to authorize the several county courts in this Commonwealth to extend the districts of town constables beyond the town boundaries.

Ordered, That the Clerk inform the Senate thereof.

Mr. Guthrie, from the committee for courts of justice, reported a bill to enlarge the powers of the county courts as to constables' districts, within their counties.

Which was received and read the first time, and ordered to be read a second time.

The following engrossed bills were severally read a third time:

1. An act to authorize the opening of a state road from Prince's ferry to the Tennessee line, in the direction to Dover.

2. An act to prohibit justices of the peace in this Commonwealth, from receiving money on judgments by them rendered.

3. An act to repeal the law authorizing county courts of this Commonwealth, to make allowances to constables and other officers, in cases of riots, routs and breaches of the peace.

4. An act to authorize the county court of Green county, so to regulate the constables' districts in said county, as to reduce the number to nine; and

5. An act further to regulate the wilderness and turnpike road.

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

The following bills were severally read a second time:

1. A bill from the Senate entitled "an act for the benefit of the heirs of John Head."

2. A bill to amend an act entitled "an act to incorporate the Kentucky and Ohio Bridge company."

3. A bill more effectually to prevent the importation of slaves into this Commonwealth as Merchandize.

The first was ordered to be read a third time; the second, was ordered to be engrossed and read a third time to-morrow; and the third was committed to a committee of the whole house, for the 30th instant.

A bill to repeal the law allowing pay for slaves executed, was read a second time.

It was then moved and seconded, to postpone the further consideration of said bill until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Fisher and Daniel, were as follows:

YEAS—Messrs. Anderson, B. Allen, Baily, Beall, G. Calhoun, J. Calhoun, Cox, Crow, Field, Fisher, Griffith, Guthrie, Harrison, Hawes, Hays, Head, Hughes, Jonas, J. H. Jones, H. Jones, Kennedy, Laughlin, Long, Love, C. S. Morehead, Owsley, Parker, Porter, Shanks, Shannon, Short, Taylor, Thomas, True, White, Wilcoxon, E. J. Wilson, Woolfolk and Wright—39.

NAYS—Mr. Speaker, Messrs. W. B. Allen, Barlow, Beaseman, Beauchamp, Boyd, Brown, Bruce, Burns, Burton, Cassidy, Chambers, Coleman, Daniel, Declary, Dougherty, Durham, Elliott, Forrest, Hardy, Harlan, Harris, Heady, Hill, Hise, Irwin, James, Kouns, McBrayer, Mize, J. T. Morehead, Horris, Murphy, Parks, Penn, Preston, Ray, Rice, Roberts, Robertson, Rodes, Rucker, Sisk, Smith, Tibbatts, Tomlinson, Venable, Walker, Wheeler, G. W. Williams, S. Williams, W. J. Williams, W. C. Wilson, and Worthington—54.

A motion having been made to amend said bill,

The house then adjourned.

TUESDAY, DECEMBER 22, 1829.

A message was received from the Senate announcing the disagreement of the Senate to the passage of a bill which originated in this House, entitled an act to amend an act entitled "an act to amend and reduce into one the execution laws of this state."

The passage of bills which originated in this House of the following titles:

An act to incorporate the Female Literary and Benevolent Institution of Nazareth, near Bardstown.

An act to incorporate the Female Literary and Benevolent Institution of Loretto, in Washington county; And

An act to change the time of holding courts in certain counties and for other purposes; with amendments to the two latter bills, and the passage of bills of the following titles:

An act to amend an act appointing commissioners to lay off and mark a state road from Harrordsburg to Smithland, in Livingston county, approved, February 9th. 1828.

And An act to change the name and to authorise the election of trustees to the town of Connorsville, Boone county; and requesting the concurrence of this house in said amendments and bills. And that the Senate *insist* on their amendment proposed to a bill which originated in this House, entitled an act to allow the Independent Banks in this Commonwealth further time to settle their concerns, and soliciting a committee of conference on the subject of said amendment.

Whereupon, Messrs. Tibbatts, Guthrie, and C. S. Morehead, were appointed a committee of free conference on the part of this House.

Ordered, That Mr. Tibbatts inform the Senate thereof.

On motion—

Ordered, That a message be sent to the Senate requesting leave to withdraw a bill entitled “an act for the benefit of Jesse Corum,” which originated in the Senate, and was rejected by this House on the 14th instant; and that Mr. Love carry the said message.

1. Mr. Tomlinson presented the petition of sundry citizens of this Commonwealth, praying that certain amendments may be made to the law prohibiting the further importation of slaves into this State.

2. Mr. Barlow presented the petition of sundry citizens of Cumberland county, praying that a part of said county may be added to the county of Monroe.

3. Mr. Venable presented the remonstrance of sundry citizens of Trigg county, against any change in the boundaries of an election precinct in said county.

4. Mr. Wilcoxon presented the petition of Francis Maraman, praying that a law may pass, authorizing him to erect a gate across the road leading from Shepherdsville to his ferry across Salt river, above said town.

5. Mr. J. Calhoun presented the petition of John Ferguson, praying that a law may pass authorizing the Register to issue a patent to him, for two hundred acres of land, the original plat and certificate for which, he alleges has been lost.

6. Mr. Anderson presented the petition of John Logan, pray-

ing that a law may pass authorizing him to erect gates across the road leading from Freedom meeting house to Arnold's mill.

7. Mr. C. Morehead presented the petition of the Trustees of the Christian Academy, praying a donation either in money or lands west of the Tennessee river to said academy.

8. Mr. Guthrie presented the petition of Hugh Ferguson, praying remuneration for the amount expended by him in bringing to justice J. H. West, charged with felony.

9. Mr. Irwin presented the petition of sundry citizens of Logan county, praying that a law may pass allowing an additional justice of the peace to said county.

Which petitions and remonstrance were severally received, the reading thereof dispensed with and referred: The first to the committee of the whole House on the state of the Commonwealth; the 2d, 3d, 5th and 6th to the committee of propositions and grievances; the 4th, 8th and 9th to the committee of courts of justice; and the 7th to the committee on education.

Mr. Guthrie, from the committee for courts of justice, to whom was referred a bill to incorporate the Louisville Mutual Fire Insurance Company, also a bill for the benefit of the heirs of Stephen Thompson Mason, deceased, reported the same without amendment.

Ordered, That the said bills be engrossed and read a third time,

And thereupon the rule of the house, constitutional provision and third reading of the *former bill* having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. Guthrie, from the same committee, to whom was referred a bill more effectually to suppress riots, routs and breaches of the peace, reported the same without amendment.

The question was then taken on engrossing the said bill and reading it a third time, which was decided in the negative; and so the said bill was rejected.

Mr. Guthrie, from the same committee, to whom was referred "a bill to amend an act establishing a chancery term in Barren county," also "a bill to amend and regulate the action of replevin," reported said bills, with amendments to each; which being severally twice read, were concurred in.

And the said bills as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of the former bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof

be amended to read, "an act to alter the time of holding certain circuit courts, and for other purposes."

Ordered, That the clerk carry the said bill to the Senate, and request their concurrence.

Mr. Guthrie, from the same committee, made the following report:

The committee of courts of justice have had under consideration the petition of the heirs of Isham Gilbert to them referred, and have come to the following resolution thereon:

Resolved, That said petition be rejected.

Also, the petition of the widow and heirs of James Holmes, deceased, to them referred, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Also, the petition of Robert Vance and Lucinda White, to them referred, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Also, the leave to bring in a bill for the benefit of Jarrett Willingham and James Lockridge, and ask to be discharged from the further consideration thereof.

Which being twice read, was concurred in.

Mr. J. T. Morehead, from the committee on internal improvements, to whom was referred "a bill to provide for building a bridge across Rough creek, at the town of Hartford," reported the same with an amendment.

Which being twice read, was concurred in.

Ordered, That the said bill as amended, be committed to a select committee of Messrs. J. Calhoun, Yates, Crow, Griffith and Rucker.

Mr. Morehead, from the same committee, to whom was referred "a bill to make an appropriation to build a bridge across Salt river, at the town of Taylorsville," reported the same with amendments.

Which being twice read, were concurred in.

It was then moved and seconded, to postpone the further consideration of said bill until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Williams (of Wayne) and Heady, were as follows, viz:

YEAS—Messrs. B. Allen, Barlow, Beaseman, Burns, Daniel, Dougherty, Elliott, Hill, Irwin, H. Jones, Mize, Murphy, Owsley, Ray, Walker, S. Williams, W. J. Williams, Wright and Yates—19.

NAYS—Messrs. Anderson, W. B. Allen, Bailey, Beall, Beauchamp, Boyd, Brown, Bruce, Burton, Butler, G. Calhoun, J. Calhoun, Cassidy, Chambers, Coleman, Combs, Cox, Crow, Decla-

ry, Durham, Field, Forrest, Griffith, Guthrie, Hardy, Harlan, Harris, Harrison, Hawes, Hays, Head, Heady, Hise, Hughes, James, Johnston, J. H. Jones, Kennedy, Kouns, Laughlin, Le-wright, Long, Love, McBrayer, C. S. Morehead, J. T. Morehead, Morris, Oglesby, Parker, Parks, Penn, Preston, Rice, Roberts, Robert-son, Rodes, Rucker, Shanks, Shannon, Short, Sisk, Smith, Taylor, Thomas, Tibbatts, True, Venable, Wheeler, White, Wil-coxen, G. W. Williams, E. J. Wilson, W. C. Wilson, Woolfolk and Worthington—75.

The said bill was then ordered to be engrossed and read a third time to-morrow.

The House then, according to the standing order of the day, resolved itself into a committee of the whole House, Mr. Smith in the chair; and after some time spent therein, the Speaker re-sumed the chair, and Mr. Smith reported that the committee had according to order, had under consideration a bill to provide for turnpiking the principal roads in this Commonwealth, and had made some progress in the consideration thereof; but not having time to go through the same, had instructed him to ask for leave to sit again; which was granted.

The Speaker laid before the House a communication from Benjamin O. Peers, in relation to common schools, made in pur-suance of a resolution of the last General Assembly, which was received and referred to the committee on education.

And then the House adjourned.

WEDNESDAY, DECEMBER 23, 1829.

A message from the Senate by Mr. Pollard, assistant clerk:

Mr. Speaker—The Senate disagree to a bill which originated in this House, entitled, an act divorcing Delia Humphrey from her husband, Eli Humphrey.

They have passed bills, which originated in this House, of the following titles:

An act for the benefit of Josiah Elliott and Eliza Sexton.

An act appointing commissioners to settle with the keeper of the penitentiary.

An act to change the name of William L. Shelly or Oxhair, to William L. White.

An act to change the place of voting, in an election precinct in Hardin county, from John Buckles to Stephen Southernns, and for other purposes.

An act to allow additional justices of the peace and constables to certain counties; with amendments to the two latter bills.

And they have passed bills of the following titles:

An act to establish a warehouse at the mouth of Jonathan's Creek, in Caldwell county.

An act for the benefit of the widow and heirs of Elias Cox, deceased.

An act for the benefit of the settlers west of the Tennessee River.

An act to prohibit the confinement of slaves purchased by negro traders, in the jails of this Commonwealth, and for other purposes.

In which amendments and bills they request the concurrence of this House.

A message from the Senate, by Mr. Thompson:

Mr. Speaker—The Senate have passed a resolution for a recess of the General assembly; in which resolution they request the concurrence of this House.

And then he withdrew.

The said resolution was then taken up and read as follows, viz:
Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on Wednesday the 23d instant, they will adjourn to meet on Monday the 28th instant.

The question was then taken on the adoption of the said resolution, which was decided in the negative; and so the said resolution was disagreed to.

The yeas and nays being required thereon by Messrs. Love and Irwin, were as follows, viz:

YEAS—*Mr. Speaker,* Messrs. Anderson, Beaseman, Beauchamp, Brown, G. Calhoun, J. Calhoun, Chambers, Coleman, Combs, Crow, Declary, Elliott, Field, Forrest, Griffith, Harrison, Hawes, Head, Heady, James, Jonas, Johnston, Kennedy, M'Brayer, C. S. Morehead, Morris, Murphy, Porter, Preston, Roberts, Shannon, Taylor, Tibbatts, Tomlinson, Wheeler, Wilcoxon, G. W. Williams, E. J. Wilson, W. C. Wilson, Woolfolk and Worthington—42.

NAYS—Messrs. W. B. Allen, Barlow, Baily, Boyd, Bruce, Burns, Burton, Butler, Daniel, Dougherty, Durham, Fisher, Hardy, Harlan, Harris, Hays, Hise, Hughes, Irwin, J. H. Jones, H. Jones, Kouns, Laughlin, Lewright, Love, Mize, J. T. Morehead, Owsley, Parker, Parks, Rice, Robertson, Rodes, Rucker, Shanks, Short, Sisk, Smith, Thomas, Venable, Walker, White, W. J. Williams and Yates—44.

Ordered, That the clerk inform the Senate thereof.

The House took up for consideration a joint resolution laid on the table on the 10th instant, by Mr. Tibbatts, for appointing joint committees to examine into the situation of the Transylvania University and the Lunatic Asylum at Lexington.

Which being twice read, and amended was adopted.

Ordered, That the clerk carry the said resolution to the Senate, and request their concurrence.

A message from the Senate by Mr. Pollard, assistant clerk;

Mr. Speaker—The Senate have adopted a resolution which

originated in this house for appointing joint committees to examine into the situation of Transylvania University and Lunatic Asylum at Lexington, and the Deaf and Dumb Asylum at Danville.

Whereupon, Messrs. Tibbatts, C. S. Morehead, James, Declary, J. Calboon, Hise and Shanks, were appointed a committee on the part of this House, to examine and report the situation of the Transylvania University and Lunatic Asylum at Lexington, and Messrs. Worthington, Anderson, Ray, Crow and Robertson, the Deaf and Dumb Asylum at Danville.

Ordered, That the clerk inform the Senate thereof.

The House took up a bill to establish Seminaries of learning in the counties of Calloway, Graves, Hickman and M'Cracken; also the annual report of the trustees of the Cumberland Hospital at Smithland.

Ordered, That the former be committed to the committee on education, and the latter to a select committee of Messrs. Rucker, Hughes, James, C. Morehead and Boyd.

Mr. Barlow, from the joint committee of enrollments, reported that the committee had examined an enrolled resolution, and bills of the following titles, and had found the same truly enrolled, viz:

A resolution for burning a certain portion of the notes of the Bank of the Commonwealth.

An act to authorize the several county courts of this Commonwealth to extend the districts of town constables beyond the town boundaries.

An act for the benefit of Shippingport.

An act for the benefit of the town of Port-William, in Gallatin county; and

An act for the benefit of the South Fork Separate Baptist Church in Casey county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That the clerk inform the Senate thereof.

The amendments proposed by the Senate to a bill which originated in this house, entitled an act to incorporate the Female Literary and Benevolent Institution of Loretto in Washington county, were taken up, twice read and concurred in.

Ordered, That the clerk inform the Senate thereof.

A bill from the Senate, entitled, "an act for the benefit of the heirs of John Head," was read a third time and committed to the committee for courts of justice.

A bill from the Senate, entitled, "an act to establish a warehouse at the mouth of Jonathan's Creek, in Caldwell county," was read the first time and ordered to be read a second time.

And the rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same having been amended,

Resolved, that the said bill as amended, do pass.

Ordered, That the clerk inform the Senate thereof and request their concurrence in said amendments.

Mr. J. T. Morehead, from the committee on internal improvements, to whom was referred a bill to incorporate a company to erect a bridge across Licking river between Newport and Covington, reported the same with amendments; which being twice read, were concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time.

Mr. Burns presented the petition of Joel Scott, keeper of the Penitentiary, praying that a law may pass to allow him credit for a sum of money for sundry materials furnished by him for rebuilding the capitol.

Which was received, and referred to the committee of claims.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Venable—1. A bill for the benefit of John Ferguson, of Muhlenberg county.

By Mr. G. Calhoun—2. A bill for the benefit of the heirs of Samuel Bleight, deceased.

By Mr. J. H. Jones—3. A bill to establish an election precinct in Fleming county.

Which bills were severally received and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of the second bill having been dispensed with, the same was committed to the committee for courts of justice.

On motion of Mr. H. Jones—

Ordered, That a message be sent to the Senate, requesting leave to withdraw the resolution for a recess of the General Assembly, which was rejected by a vote of this house on this day, for the purpose of reconsidering said vote, and that Mr. Combs carry said Message.

The said resolution having been returned, Mr. H. Jones from the majority, on the vote by which the same was disagreed to, moved a reconsideration thereof, which was agreed to.

The question was then taken on the adoption of said resolution, which was decided in the affirmative.

The yeas and nays being required on the adoption of said resolution by Messrs. Rice and Love, were as follows:

YEAS—Messrs. Anderson, Baily, Beaseman, Beauchamp, G. Calhoun, J. Calhoun, Chambers, Coleman, Combs, Crow, Daniel, Declary, Field, Forrest, Griffith, Harris, Harrison, Hawes, Head, Heady, James, Jonas, Johnson, J. H. Jones, H. Jones, Kennedy, McBrayer, C. S. Morehead, Murphy, Penn, Roberts, Rodes, Shannon, Taylor, Tibbatts, Tomlinson, Venable, Wheeler, G. W. Williams, E. J. Wilson, W. C. Wilson, Woolfolk and Worthington—43.

NAYS—Messrs. W. B. Allen, Barlow, Boyd, Bruce, Burns, Burton, Butler, Cassidy, Dougherty, Durham, Elliott, Fisher, Hardy, Harlan, Hays, Hughes, Kouns, Laughlin, Lewright, Love, Mize, J. T. Morehead, Morris, Owsley, Parker, Parks, Porter, Preston, Rice, Robertson, Rucker, Shanks, Short, Sisk, Smith, Thomas, Walker, White, W. J. Williams and Yates—40.

Ordered, That the clerk inform the Senate thereof.

Mr. Bruce, from the select committee, to whom was referred a bill requiring salt works to be enclosed, reported the same with amendments.

And then the House adjourned.

MONDAY, DECEMBER 23, 1829.

At 10 o'clock, A. M. the Speaker took the chair; but a quorum for the transaction of business not appearing,

The House was adjourned to meet on to-morrow, at 10 o'clock, A. M.

TUESDAY, DECEMBER 29, 1829.

1. Mr. Chambers presented the petition of John Cook praying a divorce from his wife, Betsey Cook.

2. Mr. James presented the petition of sundry citizens residing west of the Tennessee river, praying a donation of 15 acres of the land belonging to the Commonwealth, for the purpose of erecting thereon, a meeting house and school house.

3. Mr. Venable presented the remonstrance of sundry citizens of Trigg county, against the petition of sundry other citizens of said county, praying for the establishment of an election precinct therein.

4. Mr. Brown presented the petition of William Falconer and others, praying compensation for acting as guards to the jail of Jessamine county.

5. Mr. Boyd presented the petition of sundry citizens of Calhoun county, praying a donation of a quarter section of land in said county, to William Durrington.

6. Mr. Irwin presented the petition of sundry citizens of Logan county, praying that the balance of the state price on a tract of land in said county, may be remitted to Cynthia Neill.

Which petitions were severally received, the reading thereof dispensed with, and referred, the 1st, to the committee of religion; the 2d, to a select committee of Messrs. James, Boyd and Hughes; the 3d, to the committee of propositions and grievances; the 4th and 5th, to the committee of claims; and the 6th to a select committee of Messrs. Irwin, Hise and Shanks.

Mr. Barlow from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Female Literary and Benevolent Institution of Nazareth, near Bardstown.

An act to incorporate the Female Literary and Benevolent Institution of Loretto, in Washington county.

An act for the benefit of Josiah Elliott and Eliza Sexton.

An act to change the name of William L. Shelly or Oxhair to William L. White.

An act appointing commissioners to settle with the keeper of the Penitentiary.

Also, a joint resolution to appoint committees to visit Transylvania University, the Lunatic Asylum, and the Deaf and Dumb Asylum, at Danville.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

A message was received from the Governor, by Mr. Secretary Crittenden, informing the House that the Governor had approved and signed enrolled bills which originated in the House of Representatives of the following titles, viz:

An act to continue in force, an act for the benefit of the Head right and Tellico settlers, and for other purposes.

An act for the benefit of Edward M. Holden.

An act to authorize the trustees of the Rittenhouse Academy to transfer and convey the property, both real and personal, belonging to said Academy, to the Trustees of the Kentucky Baptist Education Society, at Georgetown, Scott county.

An act for the benefit of the town of Port-William, in Gallatin county.

An act for the benefit of Shippingport.

An act to authorize the several county courts of this Commonwealth, to extend the districts of town constables, beyond the town boundaries.

An act for the benefit of the South Fork Baptist church, in Casey county.

And a joint resolution for burning a portion of the notes of the Bank of the Commonwealth.

Ordered, That the clerk inform the Senate thereof.

Mr. Hardy, from the committee of religion, made the following report:

The committee of religion have, according to order, had under their consideration the petition of Juda Varner, and have come to the following resolution:

Resolved, That said petition be rejected.

Which being twice read and amended by striking out the words "be rejected" and inserting in lieu thereof, the words "is reasonable," was concurred in.

Ordered, That the said committee prepare and bring in a bill pursuant to said resolution.

A message was received from the Senate, announcing the passage of bills which originated in this house, of the following titles:

An act to authorize the opening of a state road from Prince's ferry to the Tennessee line in the direction to Dover, and

An act to organize a fire company in the town of Russellville, with an amendment to the latter bill.

And the passage of bills of the following titles:

An act repealing all laws allowing licences to Billiard-table keepers, and for other purposes, and

An act for the benefit of John Cottrel and others.

And their concurrence in the amendments proposed by this house to a bill which originated in the Senate, entitled "an act to establish a Warehouse at the mouth of Jonathan's creek, in Calloway county."

Mr. Love, from the committee of claims, made the following report:

1. The committee of claims have, according to order, had under consideration the petition of William Martin, praying a donation from the Legislature for his support on account of revolutionary services, and report the following resolution:

Resolved, That said petition be rejected.

2. Also, the petition of Willis Ashby, praying compensation for his services as a guard in the day over the jail in Louisville:

Resolved, That the said petition be rejected.

3. Also, the petition of James Robinson praying compensation for keeping his sister-in-law, for several years, who is subject to fits:

Resolved, That said petition be rejected.

4. Also, the petition of Goodrum Marshall, praying for a donation of land west of the Tennessee river, on account of services rendered in the revolution:

Resolved, That the said petition be rejected.

5. Also, the petition of John Chesney, praying \$100 may be refunded him which he has paid on a *head-right claim*, which has been lost by a better title:

Resolved, That the said petition be rejected.

6. Also, the petition of Nathaniel Wilson, praying a law may pass authorizing him to make a resurvey on a land warrant which had been surveyed on appropriated lands:

Resolved, That the said petition be rejected.

Which being twice read, was concurred in.

On motion—

Ordered, That the committee of ways and means be discharged from the further consideration of the petition of the managers of

the Louisville Hospital, and that the same be referred to the committee of claims.

Mr. White, from the select committee to whom was referred "a bill to allow an additional justice of the peace to the county of Bullitt," reported the same without amendment.

The said bill being amended at the clerk's table, was ordered to be engrossed and read a third time to-morrow.

Mr. Barlow, from the select committee to whom was referred "a bill appropriating 5000 acres of Land in Russell county, to improve the public roads in said county," reported the same with amendments.

Which being twice read, were concurred in; and the said bill, as amended, ordered to be engrossed and read a third time to-morrow.

Mr. G. W. Johnston, from the select committee to whom was referred, "a bill to establish the towns of Floydsburg and Brownsborough, in Oldham county," reported the same with amendments.

Which being twice read, were concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be amended to read, "an act to establish the towns of Floydsburg, Brownsborough and Paducah, and for other purposes."

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. Fisher, from the select committee appointed for that purpose, made the following report:

The committee appointed to inquire whether the practice of demanding wharfage from the boats laden with the produce of this country, as established by certain towns on the Mississippi, be not contrary to the spirit of the constitution of the United States and unnecessarily oppressive to the commerce of this and the adjacent states, beg leave to report:

That they have had the subject under consideration, and after bestowing upon it that attention its importance demands, are of opinion that the constitution of the United States does not guarantee to any individual State, the right to raise a revenue from any source, calculated from its nature, to be drawn exclusively from the citizens of other States; and that all laws having for their object the taxation of the citizens of any part of the Union, for the benefit of another portion who are excluded from the burden they impose, are unjust, contrary to the spirit of our free institutions, and unconstitutional. That such is the character of the acts of certain town corporations, alluded to in the resolution submitted to your committee, they entertain no doubt.

Your committee are unprepared at present, to state with precision the amount of the various exactions, that at different points and under various pretexts, are levied upon the commerce of this country; nor do they deem such statement necessary in order to investigate the correctness of the principle by which they are demanded. For if the corporation of any town where no wharf has been built, has a right to levy any tax, no matter how small, upon those who may land within their limits, we can see no reason why they would not have the right upon the same principle to levy a tax of 1000 dollars upon every boat which might land there, or in fact to prevent all trade between those navigating the river and the citizens of their neighborhood.

Wherever the citizens of any town have built a wharf for the convenience of those who may choose to land there, it is but just that they should receive a reasonable rate of wharfage, and it is believed that the industrious and enterprising citizens of Kentucky will be found among the last to complain of such a regulation. The act first passed by the corporation of Natchez, for demanding a wharfage of those boats that should land at their wharf was cheerfully submitted to; and had that corporation remained satisfied with receiving a wharfage that probably amounted to more than 100 per cent per annum upon the amount expended, no complaint would have been made. But other regulations have been subsequently adopted which have afforded just grounds of complaint.

Experience has ever proved that a tame submission by any people to an infringement upon their rights, has uniformly tended to invite additional encroachments. Accordingly we have seen the citizens of Natchez adding to their restrictions upon our commerce until they demanded five dollars of every Steamboat that landed at their port if they discharged or took on board any portion, no matter how small, of their cargo, and exacted from every flat boat that landed and remained at their wharf more than 4 hours \$1 50 wharfage, and in addition to that sum, a port duty of one dollar. These sums have been collected by a wharf-master to whom the corporation had leased for a stipulated sum per annum, not only the wharf but what was called the port, extending about one mile above and half a mile below the wharf, thereby making it the interest of the officer collecting the revenue, to exact with rigour the utmost in his power. Can it be possible that the constitution of the United States contemplated that a tax should ever be levied by any section of the Union, upon the wealth and enterprize of another portion exclusively, and so collected? Your committee think not.

Other towns in the states of Mississippi and Louisiana, "influenced by the successful example" of Natchez, have passed ordinances compelling those who should land within the limits of

their respective corporations to pay a wharfage of from one dollar to one dollar and fifty cents, and that too in most instances where no wharf had been made.

Your committee have been unable to discover in what manner, if any, the citizens of the several towns on the Mississippi, with the exception of Natchez, have rendered any equivalent for the burdens imposed by their restrictions. On the contrary, it is believed their principal object has been to draw a revenue from the industry and enterprize of the upper western country generally, without any regard to their benefit, for the purpose of filling the coffers of their respective corporations.

Under this view of the subject, your committee beg leave to submit the following preamble and joint resolutions.

WHEREAS it is the duty of the representatives of a free people to be ever ready to advocate the rights and support the interests of their constituents, and on all proper occasions, fearlessly to express their opinion in relation to any encroachments which may be made upon their rights and liberties: And whereas, it is essential to the prosperity of the western states that they should enjoy a free commercial intercourse with their fellow-citizens of the south; therefore be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Congress of the United States has the right to regulate commerce among the several states; and that those restrictions which have been imposed upon our commerce by several of the towns in the states of Mississippi and Louisiana, are unequal in their nature, oppressive in their operation and contrary to the spirit and meaning of the constitution of the United States.

Resolved, That his Excellency, the Governor, be requested to transmit a copy of the foregoing preamble and resolution to the Governors of the states of Mississippi and Louisiana with a request that the same be laid before their respective Legislatures.

Which being twice read, was laid on the table.

Ordered, That the public printer, forthwith print 150 copies thereof, for the use of the members of this house.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Love, from the committee of claims—1. A bill for the benefit of Nicholas Hocker and Charles Wallace.

By Mr. Field—2. A bill to amend the act extending the limits of the town of Versailles.

By Mr. Shanks—3. A bill to repeal the act, entitled "an act to review a part of the state road leading from Franklin to Owenborough," approved January 7, 1829.

By Mr. Preston—4. A bill for the purpose of turnpiking the road from Louisville, to the mouth of Salt river.

By Mr. Burns—5. A bill for the benefit of John L. Elliott.

By Mr. Rucker—6. A bill for the benefit of the Cumberland Hospital.

Which bills were severally received and read the first time, and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision and second reading of the 4th bill having been dispensed with, the same was committed to the committee on internal improvements.

Mr. Anderson, from the select committee to whom was referred a bill from the Senate, entitled "an act to amend the laws in relation to crimes committed on the Ohio, Mississippi and Big Sandy Rivers," reported the same with an amendment, in lieu of the bill.

Which being twice read was concurred in, and the said bill as amended, ordered to be read a third time to-morrow.

And then the House adjourned.

WEDNESDAY, DECEMBER 30, 1829.

A message was received from the Senate, announcing the passage of bills of the following titles:

An act to incorporate the Trustees of the Union Meeting House, in Logan county, and of the Union Meeting House, in Russellville.

And an act to legalize the proceedings of the court of assessment, in the third Regiment of Kentucky Militia.

1. Mr. Rucker presented the petition of James W. Rucker and others, praying that a law may pass to authorize a patent to be issued to Thomas Vaughan, for one hundred and seventy six acres of land, on a Headright claim, the original plat and certificate for which, has been lost.

2. Mr. Chambers presented the petition of the heirs of William A. Withers, praying that a law may pass authorizing them to sell a tract of land.

3. Mr. James presented the petition of sundry citizens of the district west of the Tennessee river, praying the removal of the land office for said district, from Waidsboro' to Mayfield.

4. Also, the petition of Sarah Mitchum, the widow of William Mitchum, praying the donation of a quarter section of land.

5. Mr. Harlan presented the petition of Agnes Street, praying a divorce from her husband, John Street.

6. Mr. Combs presented the petition of a committee of the Lexington Independent Fire Company, No. 1. of Lexington, praying that a law may pass, exempting the members of fire companies in said town, from militia duty and serving as jurors.

7. Mr. Guthrie presented the petition of sundry stockholders of the Louisville Insurance Company, praying that a law may pass authorizing the stockholders therein, to dissolve said company.

8. Mr. Morehead presented the petition of James Breathitt, praying that a law may pass, making him an allowance for services rendered as Commonwealth's Attorney.

9. Mr. Coleman presented the petition of sundry citizens of Harrison county, praying that a law may pass, allowing an additional constable to said county.

10. Mr. J. Morehead presented the petition of Polly Flowers, praying a divorce from her former husband, William Lindsey, or that her marriage with her present husband may be legalized.

11. Mr. G. Johnston presented the petition of John Robinson, John I. Lemon and Daniel McClelland, praying remuneration for money expended by them in the pursuit and arrest of Diogenes Hill, a fugitive from justice, charged with felony.

12. Mr. C. Morehead presented the petition of William Oglesby, administrator of Sarah Cain, praying that a law may pass, authorizing the sale of a tract of land, to pay the debts of said Sarah.

13. Mr. Butler presented the petition of J. D. Hay, praying remuneration for the loss by fire, of three thousand one hundred dollars of the notes of the Bank of Kentucky.

14. Mr. Butler presented the petition of the President and Directors of the Frankfort and Shelbyville Turnpike road, praying that a law may pass authorizing a subscription on the part of the state for a portion of stock in said company, and soliciting a loan from the Commonwealth to said company.

Which petitions were severally received, the reading thereof dispensed with and referred:

The 1st, 3d, 4th and 9th, to the committee of propositions and grievances; the 2d, 7th, 10th and 12th, to the committee of courts of justice; the 5th, to the committee of religion; the 8th and 11th, to the committee of claims; the 6th, to a select committee of Messrs. Combs, Wilson, of Fayette, and Tomlinson; the 13th, to a select committee of Messrs. Butler, White, J. Morehead, G. Johnston and Roberts; and the 14th, to a select committee of Messrs. Butler, Shannon and G. Johnston.

Mr. J. Calhoon, from the committee of propositions and grievances, made the following report:

The committee of propositions and grievances have had under consideration, the petition of sundry citizens of Trigg county, praying that the place of voting in the Grace precinct in said county, be changed to Canton, and have come to the following resolution thereon:

Resolved, That said petition be rejected.

Also, the petitions of sundry citizens of Cumberland, Wayne and Russell counties, praying that a new county may be formed out of parts of said counties, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Also the petition of Robert Caldwell and John Logan, praying that they may be permitted to erect gates across public roads, and have come to the following resolution thereon:

Resolved, That the said petitions be rejected.

Also, the petition of sundry citizens of Cumberland county, praying that a part of said county may be added to Monroe, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Also, the petition of sundry citizens of Cumberland, Barren, Adair and Green counties, praying the formation of a new county out of parts of said counties, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Also, the petition of sundry citizens of Hickman county, praying that the county seat in said county, be changed from Clinton to Moscow, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Also, the petition of sundry citizens of Hickman county, praying that a law may pass, permitting them to select by vote, a site for their county seat, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Which being twice read, the 4th and 7th resolutions having been amended by striking out the words "be rejected," and inserting in lieu thereof, the words "is reasonable," was concurred in.

Ordered, That the said committee prepare and bring in bills pursuant to the fourth and seventh resolutions.

Mr. Smith read and laid on the table the following preamble and resolutions:

Whereas great exertions are making by leading individuals belonging to the Clergy and others, to obtain from Congress an establishment by law of their particular creed, in relation to the Sabbath, and to effect this, and as a first step thereto to procure the passage of an act abolishing the Sunday mail; and whereas it is the duty of those representing the people in their state sovereignties to guard against all encroachments by the general government, and vigilantly to watch and defend the constitution and its principles, and especially, to interpose and resist all efforts to introduce any alliance between Church and State, any test, the establishment of which by law may tend to give a preference to any religious denomination, or the interposition of any prohibition calculated to embarrass freedom of religious opinion, or make the religious opinion of one class operate through legal restraints upon the rights and immunities of the rest, as now held under our happy institutions; therefore, this Legislature feels itself called upon to express its views to the members from Kentucky in the Congress of the United States, in relation to this interesting subject, which it seems is again to be brought before

that body by numerous petitioners. This Legislature protests against the abrogation of the Sunday mail as violating the spirit of the constitution. It is establishing the principle that the scruples or conscientious tests of one portion of the community shall be the law, to the rest, in religious matters; and that the interests, inclinations and conduct of one portion of the people shall be placed under constraint, and subjected to the control of another part of the community. This innovation in the principles upon which the general government has been conducted, is demanded by the petitioners, or some at least, upon the ground that the example of civil government is necessary to aid the teachers of the gospel in their efforts to inculcate religion and morality among the people. If this doctrine be recognized as true, the aid of the State Government ought first to have been asked to begin the work at the foundation. Writing letters, carrying letters, reading letters or newspapers, by individuals on the Sabbath, ought first to be made criminal and punished by State authority, before Congress is called on to arrest the mail, otherwise the public functionaries engaged in this duty, will be immediately succeeded by private agents, and a new system of Sunday mails will spring up under the management of private companies.

Should the State Government, by penalties, suppress all communications and conveyances of intelligence on the Sabbath, for the purpose of promoting religious and moral objects, would not the petitioners have good ground to demand as a means of furthering their exertions in this cause, the erection of houses at the public expence dedicated to the worship of God, for moral instruction, and that all persons should be compelled to attend public worship or moral lectures? Would they not have a right to expect that moral teachers for the people should be provided by the State to instruct them from the pulpit, and that the people should be compelled to pay a *moderate tax*, say one-tenth of the produce of their land and labour, for the support of these teachers of morality? And would it not rationally follow also that as the teachers of falsehood cannot benefit the public morals, and as all the numerous sects among us cannot all be right, that it will be necessary to petition the Legislature to determine which of them adheres to the true principles, and require the people to support that sect only which it may deem right, and attend the ministrations of its teachers alone? The least step to which the mingling of religious operations with the action of our civil institutions necessarily tend, would, after this, be inevitably accomplished.

It would follow in this as in other governments where this union has taken place, that he who disregards morality so far as to encourage and belong to any religious sect which is not believed *right*, cannot be fit to participate in the administration of the government. Of course, that no man who did not belong to the

right sect ought to be eligible to office, and we should then have petitions to alter our institutions to exclude them from office as we now have to establish prohibitions and make innovations hitherto unknown to our happy land. This Legislature cannot countenance applications, however deeply it reverences the sacred institution of the Sabbath, which go to impose on the multitudes who deem it of divine authority, only among those people in whose laws it was thus originally ingrafted; applications which go to impose on the seventh day Baptist, the Jews, besides numerous individuals of all classes and sects, submission to the denial of those rights to which they think themselves entitled, however respectable, intelligent, religious, moral and numerous the persons may be.

But if this Legislature were authorized to make the injunctions of the bible a part of the legal code of the country, it would not deem the wishes of the petitioners for the suppression of the Sunday mail admissible. The duty performed by the mail is a work of necessity. The President of the United States, in his late message, in speaking of the mail, justly says, "It is to the body politic what the veins and arteries are to the natural, conveying rapidly and regularly to the remotest part of the system, correct information of the operation of the government, and bringing back to it the wishes and feelings of the people." Such is the nature of our confederacy; so thoroughly is it dependent upon the perpetual interchange of opinion and information between the people and their Representatives; so widely extended are the members of our Union becoming on our great continent; and so indispensable in war and in peace, is the incessant and rapid communication of intelligence among them, that the stoppage of the mail for one-seventh part of its time, and through a period of twenty-four hours together, would certainly always be productive of great inconvenience and mischief, and might, in some dangerous crisis of the Republic, prove fatal to its union and existence. Therefore,

Be it resolved by the Senate and House of Representatives, That our Senators in Congress be instructed, and our Representatives requested, to vote against any bill or bills, that may be introduced into the National Legislature, having for their object the suppression, suspension or impeding the conveyance of the public mail.

Resolved, That the Governor of this Commonwealth be requested to transmit to each of our Senators and Representatives in Congress, copies of the foregoing preamble and resolutions.

Ordered, That the rule of the house, constitutional provision and second reading of a bill from the Senate entitled "an act further to regulate the Bank of the Commonwealth," and the second reading of a bill to provide for withdrawing the branches and further to regulate the Bank of the Commonwealth, be dis-

pensed with, and that the same be referred to the committee of ways and means.

Mr. C. Morehead, from the committee on education, to whom was referred, "a bill to encourage the general diffusion of education in this Commonwealth, by the establishment of an uniform system of public schools," reported the same with amendments.

Which being twice read, were concurred in.

The said bill was then made the order of the day for Monday next.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. J. Calhoun, from the committee of propositions and grievances—1. A bill to authorize the people of Oldham county to select a site for their seat of Justice.

By Mr. Morehead, from the committee on education—2. A bill for the benefit of the public schools in the city of Louisville.

3. Also, a bill to incorporate the Trustees of the Male and Female Orphan Asylum, at Middletown.

Which bills were severally received and read the first time and ordered to be read a second time.

And thereupon, the rule of the House, constitutional provision and second reading of the first and second bills having been dispensed with, the first was ordered to be engrossed and read a third time to-morrow, and the second was committed to the committee for courts of justice.

The House then, according to the standing order of the day, resolved itself into a committee of the whole House, Mr. C. S. Morehead in the chair; and after some time spent therein, the Speaker resumed the chair and Mr. Morehead reported that the committee had, according to order, had under consideration, "a bill more effectually to prevent the importation of slaves into this Commonwealth, as merchandize;" and had made some progress therein, but not having time to go through the same, had instructed him to ask for leave to sit again.

Which was granted.

Mr. Williams (of Wayne,) moved the following resolution:

Resolved, That nine o'clock, A. M. shall be the standing hour of adjournment, and that the House shall take a recess at one o'clock, P. M. for dinner, and return to business at two o'clock, P. M.

Which being read,

The House then adjourned.

THURSDAY, DECEMBER 31, 1829.

A message was received from the Senate, announcing the passage of a bill which originated in this house, entitled "an act for the benefit of Mary Pedigo," with an amendment.

The passage of bills of the following titles:

An act for the relief of Robert C. Harrison, and others.

An act for the benefit of Phebe Barnes, and children.

And a resolution to appoint committees to examine the public offices.

On motion—

Ordered, That Mr. Field have leave of absence from the service of this house, until Monday next.

On motion of Mr. Yates—

Ordered, That leave be given him to record his vote on the question of postponement of a bill allowing pay for slaves executed, it appearing that his vote was accidentally omitted.

Whereupon he voted in the negative, on said motion for postponement.

Mr. Barlow from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act to establish a Warehouse at the mouth of Jonathan's creek in Calloway county.

An act to authorize the opening of a State road from Prince's ferry, to the Tennessee line, in the direction to Dover.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

1. Mr. Ray presented the petition of sundry citizens of Casey county, praying the donation of two thousand acres of land in said county, to aid in the repairing of a road in said county.

2. Mr. Williams, of Bourbon, presented the petition of the devisees of Jesse Foster, praying that a law may pass authorizing the Bourbon circuit court, to decree the sale of a tract of land devised to them.

3. Mr. Laughlin presented the petition of Abram Smith, praying that a law may pass, authorizing the Register of the Land Office to issue a patent to him, for a tract of land in Whitley county, upon a county court certificate assigned to him.

4. Mr. Beall presented the petition of Abner King, administrator, and Susau Ricks, widow of William Ricks, praying that a law may pass authorizing the sale of so much of the lands of said decedent as will be sufficient to pay his debts.

5. Mr. Wheeler presented the petition of Thomas J. Young, praying that a law may pass authorizing him to erect gates across the Andrews Mill road in Bath county.

Which petitions were severally received, the reading dispensed

with and referred, the 1st, to a select committee of Messrs. Ray, Williams, (of Wayne,) and Robertson; the 2d, to the committee for courts of justice; the 3d, to the committee of propositions and grievances; the 4th, to a select committee of Messrs. Beall, Cox and G. Calhoun; and the 5th, to a select committee of Messrs. Wheeler, Hawes and Thomas.

A message was received from the Governor, by his Secretary, Mr. Crittenden, informing this House that he has approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act appointing commissioners to settle with the keeper of the Penitentiary.

An act to change the name of William L. Shelly or Oxhair, to William L. White.

An act to incorporate the Female Literary and Benevolent Institution, of Nazareth near Bardstown.

An act to incorporate the Female Literary and Benevolent Institution of Loretto, in Washington county.

An act for the benefit of Joseph Elliott and Eliza Sexton.

Also, a joint resolution for the appointment of committees to visit Transylvania University, the Lunatic Asylum, and the Deaf and Dumb Asylum.

Ordered, That the clerk inform the Senate thereof.

Mr. Guthrie, from the committee for courts of justice, made the following report:

“The committee for courts of Justice, have according to order, had under consideration, the petition of Joseph Towler, to them referred, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Which being twice read, was concurred in.

Mr. Hardy, from the committee of religion, made the following report:

The committee of religion, have according to order, had under their consideration the petition of Agnes Street, praying to be divorced from her husband, John Street, and have come to a resolution thereon:

Resolved, That said petition is reasonable.

Which being twice read, was concurred in.

Ordered, That the said committee prepare and bring in a bill pursuant to said resolution.

Mr. Guthrie, from the committee for courts of justice, to whom was referred, “a bill for the benefit of the heirs of Samuel Bleight, deceased, reported the same without amendment.

The said bill was then amended at the clerk’s table.

The question was then taken on engrossing said bill, as amended, and reading the same a third time; which was decided in the negative.

And so the said bill was rejected.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. J. Calhoun, from the committee of propositions and grievances—1. A bill for the benefit of Thomas Vaughan, and others.

2. Also, a bill to add part of the county of Cumberland, to the county of Monroe.

3. Also, a bill allowing a representative to the city of Louisville.

By Mr. Love, from the committee of claims—4. A bill for the benefit of John Robinson, and others.

5. Also, a bill for the benefit of James Breathitt.

6. Also, a bill for the benefit of Solomon Jenkins.

7. Also, a bill for the benefit of Silas W. Robbins.

By Mr. Guthrie, from the committee for courts of justice—8. A bill for the benefit of Francis Maraman.

9. Also, a bill for the benefit of Hugh Ferguson.

By Mr. Hardy, from the committee of religion—10. A bill to divorce Judah Varner, from her husband, John Varner.

By Mr. Combs, from the committee of ways and means—11. A bill to regulate the Bank of Kentucky.

Which bills were severally received and read the first time, (and with the exception of the seventh and ninth, which were rejected,) ordered to be read a second time.

And thereupon the rule of the House, constitutional provision and second reading of the 1st, 2d, 5th, 8th, 10th and 11th bills having been dispensed with, (the 8th having been amended at the clerk's table,) the same were ordered to be engrossed and read a third time.

And the rule of the House, constitutional provision, and third reading of the 1st, 2d, 5th, 10th and 11th bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

Mr. Combs, from the committee of ways and means, to whom was referred "a bill further to regulate the Bank of the Commonwealth," reported the same with an amendment.

Ordered, That the said bill and amendment be postponed until the 4th January next.

Mr. J. T. Morehead, from the committee on internal improvements, made the following report:

The Committee on Internal Improvements, to which was referred those parts of the message of the Governor, relating to the Tariff and Internal Improvements, and communicating the proceedings of certain States of the Union against particular measures of the general government, which they consider unauthorized and con-

trary to the constitution of the United States, have, according to order, had the same under consideration, and having selected the proceedings of South Carolina, as most demanding attention from their greater scope, as well as from the tendency of some of the principles avowed—the committee recommend to the house, the following answer and resolutions, which, if adopted by the house, should be afterwards transmitted to the other branches of the legislative government for their consideration, and if concurred in by them, will serve as a reply not only to the State of South Carolina, but to the other States, which, agreeing with South Carolina in opinion, have thought proper to communicate their proceedings to the Governor of Kentucky, to be laid before its legislature.

The General Assembly of Kentucky has bestowed upon the resolutions of South Carolina, all the attention required by their importance, their dignified source, and especially by the consideration, that a member of this Union declares itself to be seriously aggrieved by acts of the general government, which it arraigns and fully believes to be repugnant to the constitution of the United States. That this is the deliberate opinion of South Carolina, cannot be doubted, since at three different sessions of its Legislature, in 1825, 1827 and 1828, it has been repeatedly and solemnly expressed. The measures of the federal government, of which this opinion has been declared, are principally those which relate to the Tariff and Internal Improvements. The State of South Carolina has confined itself chiefly to a simple annunciation of its opinions and convictions, without entering into a train of reasoning, by which they were formed. It might be sufficient for the General Assembly of Kentucky to imitate the example; but it is thought to be due to the occasion and the interests of the people committed to its charge, that it should state some of the considerations, which have led to the conclusion at which it has arrived.

In respect to the Tariff, the State of South Carolina asserts in its resolution of 1825—

1st, “That a right to impose and collect taxes, does not authorize Congress to lay a tax for any other purposes than such as are embraced in the specific grants of power, and those necessarily implied therein.”

2nd. “That Congress ought not to exercise a power granted for particular objects, to affect other objects, the right to affect which has never been conceded:”

And 3dly, “That it is an unconstitutional exercise of power on the part of Congress to lay duties to protect domestic manufactures.”

By its resolutions of 1827, it asserts, 4thly, “That the constitution of the United States, is a compact between the people of the different States with each other, as separate independent sove-

reignities; and that for any violation of the letter or spirit of that compact by the Congress of the United States, it is not only the right of the people, but of the Legislatures who represent them, to every extent not limited, to remonstrate against violations of the fundamental compact."

5thly, "That the acts of Congress known by the name of Tariff laws, the object of which is not the raising of revenue or the regulation of foreign commerce, but the promotion of domestic manufactures, are violations of the constitution in its spirit, and ought to be repealed."

And by its resolutions of 1828, it asserts, 6thly, "That the measures to be pursued consequent on the perseverance in this system, are purely questions of expediency and not of allegiance, and that for the purpose of ascertaining the opinion, and inviting the co-operation of other States, a copy of these and the resolutions heretofore adopted by this Legislature, be transmitted to the Governor of the several States, with a request that they may be laid before the several Legislatures to determine on such ulterior measures as they may think the occasion demands."

The General Assembly of Kentucky, finds itself unable to concur in all these opinions. Some of them, indeed, might be admitted, without adding any strength to the conclusion which they are asserted to sustain. This observation applies to the first, second and fourth of the opinions avowed by South Carolina. Undoubtedly Congress ought to impose *no* tax for purposes, "other than such as are embraced in the specific grants of power and those necessarily implied therein." Nor ought Congress "to exercise a power granted for particular objects to effect other objects, the right to effect which, has never been conceded"—by the constitution of the United States. So far as the resolutions of 1827, declare a right, either on the part of the States, in their sovereign character, or of the people, to remonstrate against violations of their constitutions by the government of the United States, the right is undeniable.

The grant in the constitution to Congress, of the power to lay and collect taxes, duties, imposts and excises, is without limitation, except that they shall be uniform throughout the United States, and except also in the case of direct taxes, that they are to be apportioned among the several States, according to their respective numbers, determined by a prescribed rule. It cannot be pretended that duties, imposed to protect American productions, with which rival productions of foreign nations come in competition, fall within either of those exceptions. Nor, if the qualification were conceded, which is sometimes insisted upon, of this general taxing power, that is, that it is to be exerted to pay the debts, and provide for the common defence and general welfare, would much aid be derived to the argument, which maintains the unconstitutionality of such duties?

Without dwelling longer upon that particular clause in the constitution of the United States, the General Assembly conceives that another clause clearly grants the power in question. It is that which gives to Congress the power "to regulate commerce with foreign nations." Art. 1. Sec. 8. It is given without restriction or qualification. It ought to have been so conferred upon a government, which, by universal consent, has the exclusive control of our commercial and other intercourse with foreign nations. How otherwise would it have been possible, for Congress to guard and protect the interests of the United States against the varying and infinitely diversified policy of foreign powers? If equality of commerce and navigation on one side, ought to be met by equality on the other, prohibition on the one side, ought to be countervailed by prohibition on the other. Between the points of perfect equality and absolute prohibition, there are many intermediate shades of difference, discernable in the commercial codes of foreign nations. There is not, it is believed, with a very few exceptions, a commercial nation in the world, which practically offers to the United States perfect equality; whilst many of them, and especially those with which they have most intercourse, measure out to them prohibition after prohibition, to the entire exclusion of some of the most valuable products of the Union. Would it not have been unwise in the people of the United States, to have tied the hands of their government, as to commercial regulations, whilst those of foreign powers should be free to inflict on the commerce of the United States any injury, prompted by their policy, their jealousy or their cupidity? Would it have been possible for the framers of the constitution, to have foreseen and provided for, all the exigencies that might arise out of the commercial policy of foreign powers, by defining the precise manner in which the grant of the power to 'regulate commerce,' should be exercised? If it be said, that the object of protecting the products of American industry, is not *specified*, as the purpose of the grant of the power to 'regulate commerce,' besides the answer already given, the further answer immediately occurs, that no other purpose *is* specified; and if the want of the specification of the object of protection, prevent the exercise of the power to that end, the want of the specification of every other object, would prevent the exercise of the power in relation to any and every other object. And thus it would happen, that the grant of a power unlimited and unrestrained, would amount to a mere nullity; and the general government would be disarmed of many of the powers necessary to constitute it a safe depository of the rights, of the interests, and of the independence of the Union.

But it may be urged, that the regulation of commerce implies its continued existence, and that whatsoever be the nature of the regulation, it must not be such as to destroy the subject to be regulated. If Congress were to attempt to annihilate the com-

merce of the United States, there might be force in this argument. But no such attempt is made by the laws in question. Commerce embraces a vast variety of subjects. The imposition of protecting duties on some articles, or even the absolute prohibition of them, would not amount to its destruction, nor would the general commerce of the country be thereby ultimately affected. All other articles would remain for commercial operations, and the encouraged industry of the United States would supply additional subjects, counterbalancing those which might be excluded. If the regulation of commerce mean any thing, it must be the prescription of the terms and conditions on which it is admitted and carried on. Congress possessing an unqualified power to prescribe those terms and conditions, is bound in the exercise of it, to guard and protect the prosperity of the United States, or in the language of the constitution, "to provide for the general welfare." And if that object require such a regulation of foreign commerce, as will foster our domestic manufactures, Congress is surely authorized to enact the regulation.

The power in question, in conformity with these principles, has been repeatedly exercised since the adoption of the present constitution; and that too without denial or complaint of the constitutional power of Congress. A large majority of the States and of the people of the Union, including, it is confidently believed, the States of South Carolina, Virginia and Georgia, sanctioned the exercise of it, in the instance of the Embargo, by which commerce with all nations was indefinitely suspended.

It must have been well known to the American Statesmen who formed the federal constitution, pre-eminently skilled, as all admit them to have been, in the history of the policy of the commercial nations of the world, that it was by regulations of commerce that the British government had systematically and uninterruptedly protected and encouraged the domestic industry and manufactures of that country; that such protection and encouragement were prominent and characteristic objects of the policy of that government, and entered into all its commercial regulations, connected with those subjects, the production or manufacture of which it was designed to favor. When, therefore, with this knowledge, they formed a constitution, granting to Congress a general and unqualified power to 'regulate commerce,' it must have been understood that the power might be used to cherish and foster the domestic industry and manufactures of the States, as it had been elsewhere and every where used. And if it had been intended, to exclude from the general grant of the power to 'regulate commerce,' the right to exercise it for the common and familiar purpose of encouraging domestic industry and manufactures, that exclusion would most certainly, in some way, have been expressed.

That the constitution of the United States *was* so understood

and interpreted by many of its illustrious framers and their cotemporaries, is a fact demonstrable by unequivocal evidence. It would swell the argument unnecessarily on this point, to offer at length the authorities that might be adduced in support of it. A brief abstract of the opinions of some of the most distinguished, is all that will be attempted.

After the adoption of the federal constitution, the first Congress met in April, 1789. Earlier than any other, the important subject of revenue claimed attention. The debates which have been preserved, shed much light on the views of national policy, as expressed by the members of that enlightened assembly.

On the third day of the session, the House being in committee of the whole—"Mr. Madison, after a few observations on the great subject of finance and the deficiencies in the federal treasury, suggested the necessity of immediately adopting some measures upon the subject of national revenue. With this object in view, he produced a resolve, specifying certain articles, upon which an impost was proposed to be laid."

On the next day, the House being still in committee on the state of the Union, "Mr. Madison said, that with respect to the resolve before the committee, his design was to have proposed a temporary system. He, however, perceived gentlemen were much divided. He conceived that very powerful motives existed, to induce the adoption of a plan that should come into immediate operation, &c. He remarked that some of the articles proposed, *had reference to the encouragement of our own manufactures.*"

This resolution of Mr. Madison was subsequently withdrawn, as constituting a temporary system only, and he then moved, "that it is the opinion of this committee, that a committee of the house ought to be appointed to prepare a draft of a bill to regulate the collection of duties on imposts and tonnage within the United States." The motion was adopted, and after some discussion, duties were imposed upon a variety of articles, among them were Jamaica spirits, wines, sugars, coffee, beer, candles, cheese, shoes, unwrought steel, &c. "This article," says the reporter, "caused a long and interesting debate; it being contended on the one hand, proper to *encourage the growing manufacture of that article*; and opposed, on the other, as a tax on agriculture and all mechanic arts, in which steel tools, &c. were necessary."

"Mr. Gilman, from New-Hampshire, moved to have the article of hemp, struck out of the enumeration."

"Mr. Hartley observed, that there appeared to him an inconsistency in the proceedings on the business. The committee had just resolved, that a duty should be laid on cables and cordage, and it was now proposed to tax the principal material of that manufacture. If the object was to *protect the manufactures of the country*, it was absurd to discourage the importation of raw materials, essential to those manufactures. It was, indeed, of impor-

tance to *encourage American productions*: but was it of higher importance than ship building? It was the policy of all manufacturing countries, to encourage the importation of the raw material.— To lay a duty on hemp would be giving a fatal blow to the manufacture of cordage.”

Mr. Moore, from Virginia, “conceived it not only the interest of the State he represented, but of every part of America, to *encourage the raising of hemp*.”

“Mr. Heister observed, that the hemp of this season was already sown, so that the farmer would not profit by any *encouragement this year*. He did not, therefore, wish to render the duty heavy at present. It might be proper in a year or two to increase it.”

“Mr. White opposed the motion for striking out the article, and was rather for filling it up with a larger sum. He moved that the blank be filled up with 17 cents.”

“Mr. Lawrence imagined, that the article of hemp was not raised at present in sufficient quantities, to warrant any extraordinary duties, which might in the end *operate as a prohibition*. If the duty on hemp was higher than on cordage, it would be the interest of the merchant to import the latter, to the *discouragement of the manufacture here*.”

“Mr. Scott, from Pennsylvania, observed, that commerce and agriculture were inseparably connected, and that nothing commercial ought to be adopted, which would injure agriculture, on which it so essentially depended. *He disapproved of the immoderate zeal in favor of manufactures*.”

“Mr. Boudinot moved for 50 cents. The question on that sum was taken and carried.” (*See American Museum for 1789—pp 418. 423—vol, 5.*)

The deliberations of Congress on this subject, resulted in the passage of a law, entitled “an act for laying a duty on goods, wares and merchandizes imported into the United States;” the preamble of which was as follows;

“Whereas it is necessary for the support of government, for the discharge of the debts of the United States, and the ENCOURAGEMENT and PROTECTION of DOMESTIC MANUFACTURES, that duties be laid on goods, wares and merchandizes imported: *Be it enacted, &c.*”

It will not escape observation, that this act was not only sanctioned but projected by men, who had aided in the formation of the Federal constitution; and as if to mark its connexion with the memorable event that preceded it, was approved by President Washington, on the 4th July 1789.

“The *immoderate zeal in favor of manufactures*” seems not to be confined to the present day, but to have entered into the profound and enlightened deliberations of the fathers of the constitution, upon next to the first act that is to be found upon the sta-

tute book of the nation. The conclusion deducible from circumstances like those, cannot be resisted.

The opinions of Mr. Jefferson, are no less unequivocal. He was not a member of the first Congress, nor of the convention that formed the constitution of the United States; but he was deeply skilled in the science of our government, and no man was more jealous of its constructive powers.

In his message to Congress in 1808, Mr. Jefferson said, "The suspension of our foreign commerce, produced by the injustice of the belligerent powers, and the consequent losses and sacrifices of our citizens, are subjects of just concern. The situation in which we have been thus forced, has impelled us to apply a portion of our industry and capital to internal manufactures and improvements. The extent of this conversion is daily increasing and little doubt remains, that the establishments formed and forming, will, under the auspices of cheaper materials and subsistence, the freedom of labor from taxation with us, and of *protecting duties and prohibitions*, become permanent."

Pardonable as it might be, on a subject of such importance, to array against the positions assumed by South Carolina, the recorded opinions of those eminent Statesmen, who lived when the government was founded, and who aided in rearing its magnificent structure, recommended as their opinions are, to our confidence, by the purity of their lives, by the elevation of their characters, and by their generous devotion to the cause of independence, one additional authority only, will be adduced, before this branch of the discussion is disposed of. It is the opinion of Mr. Madison, the sole survivor of that venerable body, which composed the convention of 1787.

In a letter to Joseph C. Cabell, dated 18th September, 1828, in which the question "of the constitutionality of the power in Congress, to impose a Tariff for the encouragement of manufactures," was the subject before him, Mr. Madison, says: "It is a simple question under the constitution of the United States, whether the power 'to regulate trade with foreign nations,' as a distinct and substantive item in the enumerated powers, embraces the object of encouraging by duties, restrictions and prohibitions, the manufactures and products of the country? And the affirmative must be inferred from the following considerations:

"1. The meaning of the phrase, to regulate trade, must be sought in the general use of it; in other words, in the objects to which the power was generally understood to be applicable, when the phrase was inserted in the constitution.

"2. The power has been understood and used by all commercial and manufacturing nations, as embracing the object of encouraging manufactures; it is believed that not a single exception can be named.

"3. This has been particularly the case with Great Britain, whose commercial vocabulary is the parent of ours.

"4. Such was understood to be the proper use of the power by the States, most prepared for manufacturing industry, whilst retaining their power over foreign trade.

"5. Such a use of the power by Congress, accords with the intention and expectation of the States, in transferring the power and trade from themselves, to the government of the United States.

"6. If Congress have not the power, it is annihilated for the nation; a policy without example in any other nation, and not within the reason of the solitary one of our own.

"7. If revenue be the sole object of a legitimate impost, and the encouragement of domestic articles be not within the power of regulating trade, it would follow that no monopolizing or unequal regulations of foreign nations could be counteracted.

"8. That the encouragement of manufactures, was an object of the power to regulate trade, is proved by the use made of the power for that object, in the first session of the first Congress, under the constitution; when among the members present, were so many who had been members of the Federal Convention, which framed the constitution, and of the State Conventions, which ratified it."

"A further evidence in support of the constitutional power, to protect and foster manufactures by regulations of trade, an evidence that ought of itself to settle the question, is the uniform and practical sanction given to the power by the general government for nearly forty years; with a concurrence or acquiescence of every state government, throughout the same period; and it may be added through all the vicissitudes of party, which marked the period."

That a large majority of the Union has hitherto approved the particular exercise of the power now in question, and complained of by South Carolina, will not be denied. A large majority of the Union believes such an exercise of power, necessary to the prosperity of the whole.

The General Assembly of Kentucky, cannot admit the right of a minority, either of the States or of the people, to set up their opinion not only in opposition, but to overrule that of the majority. And it cannot but view with regret and surprize, the assertion of the State of South-Carolina—"That the measures to be pursued, consequent on the perseverance in this system, are purely questions of expediency, and not of allegiance," The consequences of such a principle, if practically enforced, would be alarming in the extreme. Scarcely any important measure of the general government is ever adopted, to which one or more of the States are not opposed. If one State have a right to obstruct and defeat the execution of a law of Congress, because it deems it unconstitutional, then every State has a similar right.

When the dissatisfied State opposes to the act of Congress its measures of obstruction, the alternative is presented, shall the act be enforced within the particular State, or be abandoned by Congress? If enforced, there is a civil war; if abandoned, without being repealed, a virtual dissolution of the Union. As the successful exercise of the power of resisting an act of Congress by one State, would naturally stimulate other States, disapproving other acts of that body, to similar resistance, the practical result would be, that Congress could adopt and enforce no measure whatever, to which any one of the twenty-four States might be opposed. It is in vain to say that the tariff is characterized by the most enormous injustice—who is to be the judge of that enormity? Who is to prescribe the limit of enormity, which will authorize resistance, and that which falls short of conferring that right? History and the nature of man demonstrate, that when his prejudices are aroused and his passions inflamed, it is not difficult to persuade him, that mild and equitable laws, are fraught with the most abominable injustice.

Nor can the State of South Carolina derive the smallest aid, in sustaining its doctrine of resistance to the federal authority, from the manner in which the constitution was formed; whether it was the work of the people of the United States collectively, or is to be considered as a compact between sovereign States, or between the people of the several States with each other, there is, there can be, there ought to be but one rule, which is, that the majority must govern.

Of course, the General Assembly does not now mean to speak of, or to deny that there may be, acts of government, of such extreme oppression, as to justify, if there be no other remedy, an appeal to arms. When such cases unhappily—and it is fondly to be hoped they never will—arise, they furnish their own laws: And it is the bounden duty of those who believe in the existence of such extreme oppression, to estimate well the probabilities and the perils of forcible resistance. The State of South Carolina is not supposed to have intended to assert, that the system of measures denominated the tariff or the American system, presents a just cause of civil war; but that without producing civil war, that State may lawfully resist the execution of the system within its jurisdiction. It is therefore, the ordinary rule of the federal government, and not the extraordinary cases referred to, which should form the subject of our present inquiry.

The right of the majority to govern, flows from the fitness of things. It is the law of nature, because it is the dictate of reason, applied to human society. A measure is proposed in the legislative halls, to advance the common happiness of a nation. The opinions of the members are divided. Which party is to govern? When the majority of the nation speaks through its constitutional organs, the first principles of the government are

lost sight of, unless the voice of that majority is obeyed. The presumption at once arises when an act receives the sanction of a majority of the representatives of the people, that a majority of the people themselves requires and approves it. What is the voice of the majority in Congress, but the voice of the people, speaking by proxy? How absurd would it be, therefore, for the few to impeach the conduct of the many—for an inconsiderable portion of the States to menace the subversion of the government, the dissolution of the Union, because the many demand the adoption of a measure, which, in the opinion of the few, militates against *their* interests? Previously to the war of 1812, a large proportion of the American people, indignant at the accumulated wrongs of the British government, claimed at the hands of their representatives in Congress, a declaration of hostilities against England. It was an act of sovereignty, the exercise of which, the majority of the people had the constitutional right to demand. The minority that availed themselves of that occasion, to threaten the dismemberment of the Union, was regarded universally, as an unprincipled faction; and the posture in which impartial history will present them to future times, ought ever to operate as an example to deter rather than to be imitated. If the great interests of the Nation are to be promoted by the encouragement and protection of domestic industry, on what principle of reason, or of sound policy, should those interests be abandoned? Does not self preservation—does not national independence—do not the future glory and stability of our institutions require, that the end of all laws should be the advancement of the *general* welfare? It may be said, that the majority may be mistaken. They may be; and so may the minority. The chance of error is greater with the smaller than the larger number. And even if the majority prove to have erred, they will be more contented to bear the ills of their own making, than those which would be brought upon them, or which they would fancy were brought upon them, by the success of the minority.

But this right of the majority to govern, clear as it is upon the ground of reason and natural law, does not rest exclusively upon that ground: It is expressly secured by the constitution of the United States, in the creation of the Legislative power. By the fifth section of the first article of that instrument, it is provided, that "a majority of each (house) shall constitute a quorum to do business." In some instances indeed, a greater number than a bare majority is required; but those exceptions, the result of precaution, like all exceptions, themselves prove the general rule.

The General Assembly of Kentucky cannot then agree with the State of South Carolina, that the perseverance of the General Government in the American System, leaves that State free to consider that the measures to be pursued, are "purely questions of expediency and not of allegiance." If the majority of the

people of the United States in Congress assembled, adhere to that system, by abstaining from its repeal, neither the State of South Carolina nor any other State in the Union, is at liberty to pass any act to defeat the system. That State and all the other States, are bound by the terms of our constitutional union, to yield obedience to the system.

From the principles now advanced, there has been no deviation on the part of the General Assembly of Kentucky. At a former epoch, when certain acts passed by Congress, called the alien and sedition laws, which were believed to be unconstitutional by the General Assembly, it neither interposed nor threatened the adoption of any measures to defeat or obstruct their operation within the jurisdiction of Kentucky. It expressed, and expressed in very strong language, its disapprobation of them, and its firm conviction that they were unconstitutional, and, therefore, void. There it stopped, and that is the limit which no State should pass, until it has formed the deliberate resolution of lighting up the torch of civil war. Every State, as well as every individual, has the incontestible right freely to form and to publish to the world, its opinion of any and of every act of the federal government. It may appeal to the reason of the people, enlighten their judgments, alarm their fears, and conciliate their support to change federal rulers or federal measures. But neither a State nor an individual, can rightfully resist, by force, the execution of a law passed by Congress.

The State of South Carolina also asserts, 1st, that Congress "does not possess the power, under the constitution, to adopt a general system of internal improvements, as a national measure." 2d. "That it is an unconstitutional exercise of power on the part of Congress, to tax the citizens of one State, to make roads and canals for another State; and 3rd. "That Congress has no power to construct roads and canals in the States, for the purpose of internal improvement, with, or without the assent of the States, in whose limits those internal improvements are made, the authority of Congress extending no further than to pass "the necessary and proper laws" to carry into execution, their enumerated powers."

The General Assembly believes, that Congress is invested by the constitution, with the power to construct internal improvements of a national character, within all or any of the States. The power, it believes, to be fairly deducible from the enumerated powers; but this question has been so often and so ably discussed, that it is not aware that any additional light can, or need be thrown upon it. The General Assembly, will, therefore, content itself with an examination of those reasons only, which are brought forward by the State of South Carolina.

The first is a mere declaration of its opinion. As to the second, it is not known or believed, that Congress has ever, in fact, taxed the citizens of one State, to make roads and canals for another. If that had been done, it would be admitted to be unconstitutional. Congress has applied a part of the common resources of the whole nation, to the execution of works of national improvement, which must of necessity, have fallen within the limits of one or more States; and such an application of them is believed to be

strictly constitutional. If the State of South Carolina meant to assert, that the funds of the General Government cannot be applied to a local object, because that object is within a particular State, it would deprive the Government of some of its most important functions. Scarcely any State could suffer more by the adoption of such a principle than South Carolina, since it would deprive its great port of those costly national works, which are so essential to its defence, and which have been erected at the common expense of other States, and of South Carolina.

The third reason brought forward by South Carolina, denies the power, with, or without the assent of the States in which the improvement is situated, because the authority of Congress extends no further than to carry into execution, the enumerated powers. The power of Congress consists of the specified grants enumerated in the constitution, and of the further grant to pass all laws necessary and proper for carrying them into execution, as well as all other powers vested in the Government of the United States, or any department or officer thereof. South Carolina has not attempted, by any argument, to prove that the controverted power is not comprehended within the grants specifically enumerated; nor to show it to be unnecessary and improper as a means of carrying any of them into effect.

[The General Assembly believes the power to construct roads and canals, to be granted in the clause authorizing the establishment of post offices and post roads, and the power 'to regulate commerce among the several States'; and that the power to make roads and canals is a necessary implication from the military and commercial powers conferred on Congress.

Both of those measures which have been considered, have deep foundations in the convictions and in the affections of the people of Kentucky. Both are believed to be essential to the permanence, and to the prosperity of the Union. Both are sanctioned by the opinions of many of the most venerable and illustrious of our statesmen and patriots, including General Washington, the first President of the United States, and the father of his country.

And the General Assembly of Kentucky cannot omit to avail itself of an occasion so appropriate, to call to its aid, the often repeated sentiments of their most distinguished fellow-citizen, Henry Clay, whose zealous and able exertions, and whose eminent services in support of both of those measures, have been equalled only by his ardent patriotism and his unbending integrity.]

Entertaining these sentiments and views in relation to the subjects embraced in the resolutions of the State of South Carolina, and in the proceedings of the States of Virginia, Georgia and Mississippi, the General Assembly has expressed them with all the courtesy and respect called for by the relation which subsists between members of a common political family, having a common interest in the perpetuation of the Republic; but at the same time with the firmness and confidence arising from a consciousness of having truth and reason on its side: Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That it is a constitutional exercise of power on the part of Congress, to encourage and protect the manufactures of the United States, by imposts and restrictions on the goods, wares and merchandize of foreign nations; and that the acts of Congress, usually known by the name of Tariff laws, are not

only constitutional, but demanded by the best interests of the people of these States.

Resolved, That Congress does possess the power, under the constitution, to adopt a general system of internal improvements, as a national measure for national purposes.

Resolved, That this report and the accompanying resolutions, be forwarded by the Governor of this Commonwealth, to the respective Governors of the States of South Carolina, Virginia, Georgia and Mississippi, as the expression of the views of the General Assembly of Kentucky, on the constitutional power of Congress over the subjects of domestic manufactures and internal improvements; and for the purpose of ascertaining the views and opinions of the several States of the United States on the same subjects.

Resolved, also, That the Governor of this Commonwealth be requested to forward them to the Governors of the other States of the Union, respectively, to be laid before the Legislatures of those States, for their consideration.

Ordered, That the public printer forthwith print 150 copies of said report for the use of the members of this house.

Mr. C. S. Morehead, from the committee on education, to whom was referred a bill to appropriate some of the vacant lands in this Commonwealth, to the use of the Mountsterling Seminary, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time, to-morrow.

Mr. Morehead, from the same committee, to whom was referred "a bill to establish seminaries of learning in the counties of Calloway, Graves, Hickman and M'Cracken," reported the same without amendment.

The said bill being amended at the clerk's table, was, with the amendments, ordered to be engrossed and read a third time

And thereupon the rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be amended to read, "an act to establish seminaries of learning in the counties of Calloway, Graves, Hickman, M'Cracken and Hancock."

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

The House then, according to the standing order of the day, resolved itself into a committee of the whole House, Mr. C. S. Morehead in the chair; and after some time spent therein, the Speaker resumed the chair, and Mr. Morehead reported that the committee had, according to order, had under consideration "a bill more effectually to prohibit the importation of slaves into this Commonwealth as merchandize," and had gone through the same with an amendment, which he handed in at the clerk's table,

Which being twice read, was concurred in.

It was then moved, and seconded, to postpone the further consideration of said bill until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mize and Calhoon, were as follows, viz:

YEAS—Messrs. Barlow, Beaseman, Burton, G. Calhoon, J. Calhoon, Cox, Crow, Daniel, Declary, Harris, Hawes, Heady, Hill, Irwin, H. Jones, Kennedy, Lewright, McBrayer, M'Daniel, Mize, C. S. Morehead, Owsley, Parker, Porter, Preston, Ray, Roberts, Rodes, Rucker, Short, Smith, Taylor, Tomlinson, True, Walker, G. W. Williams, S. Williams, Woolfolk and Wright—39.

NAYS—Mr. Speaker, Messrs. Anderson, B. Allen, W. B. Allen, Baily, Beall, Beauchamp, Brown, Bruce, Burns, Butler, Cassidy, Chambers, Coleman, Combs, Dougherty, Durham, Elliott, Fisher, Griffith, Guthrie, Hardy, Harlan, Harrison, Hays, Head, Hise, Jonas, G. W. Johnston, J. H. Jones, Kouns, Laughlin, Long, Love, Morris, Murphy, Oglesby, Parks, Penn, Rice, Robertson, Shanks, Shannon, Sisk, Venable, Wheeler, White, W. J. Williams, W. C. Wilson, Worthington and Yates—51.

Mr. Hawes then moved to amend said bill, by attaching thereto the following sections:

Be it further enacted, That no suit or action shall be maintained by any slave or slaves, imported against the provisions of this act, unless the same is prosecuted within two years after the cause of action may have accrued.

Be it further enacted, That the rights of the creditors of any person who shall bring any slave or slaves to this State as merchandize, shall not be impaired, and any such creditor may subject any such slave or slaves to the satisfaction of the just debts of said creditor, provided that said slave or slaves shall not be subject to the claims of any such creditor or creditors, if there be other property to satisfy the debt.

Be it further enacted, That any county court in this Commonwealth, may, if they apprehend that any slave who may be emancipated by virtue of this act may be a county charge, said court may cause him or them to be hired out at public auction, for such time as will indemnify such county against any such slave or slaves, being a county charge.

And the question being taken on adopting the proposed amendment, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Hawes and J. Calhoon, were as follows:

YEAS—Messrs. Barlow, Beaseman, Burton, G. Calhoon, J. Calhoon, Coleman, Cox, Crow, Daniel, Declary, Harris, Harrison, Hawes, Heady, Hill, Irwin, Johnston, H. Jones, Kennedy, Lewright, McBrayer, M'Daniel, Mize, Parker, Porter, Preston,

Ray, Roberts, Rucker, Short, Smith, Taylor, True, Walker, White, G. W. Williams, S. Williams, Woolfolk and Wright—39.

NAYS—Mr. Speaker, Messrs. Anderson, B. Allen, W. B. Allen, Bailey, Beall, Beauchamp, Brown, Bruce, Burns, Butler, Cassidy, Chambers, Combs, Dougherty, Durham, Elliott, Fisher, Griffith, Guthrie, Hardy, Harlan, Hays, Head, Hise, Jonas, J. H. Jones, Kouns, Laughlin, Long, Love, C. S. Morehead, Morris, Murphy, Oglesby, Owsley, Parks, Penn, Rice, Robertson, Rodes, Shanks, Shannon, Sisk, Tomlinson, Venable, Wheeler, W. J. Williams, W. C. Wilson, Worthington and Yates—51.

Mr. J. Calhoun then moved to amend said bill by attaching thereto as an additional section, the following, viz:

Be it further enacted, That this act shall not be construed to affect the rights of persons who may emigrate to, and settle permanently in this State, from selling their slave or slaves.

And the question being taken on adopting the same as an amendment to the bill, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Calhoun and Hawes, were as follows:

YEAS—Messrs. Barlow, Beaseman, Burton, G. Calhoun, J. Calhoun, Cox, Crow, Daniel, Declary, Hardy, Harlan Harris, Harrison, Hawes, Hays, Head, Heady, Hill, Irwin, H. Jones, Kennedy, Lewright, M'Brayer, M'Daniel, Mize, Oglesby, Owsley, Parker, Porter, Preston, Ray, Roberts, Rucker, Short, Smith, Taylor, True, Walker, White, G. W. Williams, S. Williams, Woolfolk and Wright—43.

NAYS—Mr. Speaker, Messrs. Anderson, B. Allen, W. B. Allen, Baily, Beall, Beauchamp, Brown, Bruce, Burns, Butler, Cassidy, Chambers, Coleman, Combs, Dougherty, Durham, Elliott, Fisher, Griffith, Guthrie, Hise, Jonas, Johnston, J. H. Jones, Kouns, Laughlin, Long, Love, C. S. Morehead, Morris, Murphy, Parke, Penn, Rice, Robertson, Rodes, Shanks, Shannon, Sisk, Tomlinson, Venable, W. J. Williams, Wilson, Worthington and Yates—46.

The said bill was then ordered to be engrossed and read a third time to-morrow.

And then the House adjourned.

FRIDAY, JANUARY 1, 1830.

1. Mr. Taylor presented the petition of Hugh Talbott, praying that further time may be given him to redeem his real estate, heretofore sold by the Bank of the Commonwealth, under a mortgage executed by him to said Bank.

2. Mr. Love presented the petition of Richard Taylor, praying that a law may pass subjecting the lands of non residents, west of

the Tennessee river, to the payment of his fees as surveyor of military bounty lands.

3. Mr. J. Calhoun presented the petition of sundry citizens of Ohio county, praying that a part of said county may be added to Breckinridge county.

4. Mr. Venable presented the petition of sundry citizens of Caldwell county, praying to be added to Trigg county.

5. Mr. Beall presented the petition of sundry citizens of Nelson, Spencer and Anderson counties, praying that a law may pass authorizing the county courts of said counties, to remove obstructions to the navigation of Salt river.

6. Mr. Laughlin presented the petition of sundry citizens of Whitley county, praying to be added to Laurel county.

7. Also, a remonstrance against said addition.

8. Mr. White presented the petition of sundry citizens of Jefferson county, praying an alteration in the terms of the Jefferson circuit courts, and for other purposes.

9. Mr. Worthington presented the petition of sundry citizens of Mercer county, praying that a law may pass, more effectually to prevent the importation of slaves into this Commonwealth.

10. Mr. Charles Morehead presented the petition of sundry citizens of Christian, Trigg, Calloway and Graves counties, praying that a road may be established from Hopkinsville to Waidsboro, by the way of Cadiz, Canton and Pentecost's ferry.

11. Mr. Heady presented the petition of sundry citizens of Spencer county, praying that a law which passed on the day of 18 declaring Salt river a navigable stream up to the mouth of Crooked creek, may be repealed.

12. Mr. W. J. Williams presented the petition of the trustees of the Simpson county Seminary, praying that the proceedings of said trustees may be legalized, and that the operation of an act passed during the present session of the Legislature, appropriating fines and forfeitures, may be suspended for four years.

13. Also, the petition of the heirs of Micajah Sheton, dec'd, praying that a law may pass, authorizing them to locate a Virginia land warrant, on any vacant and unappropriated land west of the Tennessee river.

Which petitions were severally received, the reading dispensed with, and referred; the 1st, 3d, 4th, 6th and 7th, to the committee of propositions and grievances; the 2d and 8th, to the committee of courts of justice; the 5th, 10th and 11th, to the committee of internal improvements; the 12th to the committee on education; the 13th to a select committee of Messrs. W. J. Williams, Walker and Hise; and the 9th was laid on the table.

Mr. J. T. Morehead, from the committee on internal improvements, to whom was referred "a bill to provide for the erection of a bridge across Kentucky river, near the mouth of Benson."

also, "a bill to incorporate the Green and Barren river Navigation Company," reported the same with amendments to each.

Ordered, That the said bills, with the proposed amendments, be committed to a committee of the whole House, for the 5th instant.

Mr. J. Calhoun, from the select committee to whom was referred, a bill to provide for building a bridge across Rough creek at the town of Harford, reported the same with amendments.

Which being severally twice read, were concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time to-morrow.

Mr. Butler, from the select committee, to whom was referred the petition of John D. Hay, reported the following joint resolution:

Whereas John D. Hay was, in the year 1814, possessed of the sum of thirty-one hundred dollars, in notes of the Bank of Kentucky, and lost the whole thereof by the accidental conflagration of his dwelling: Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Directors of the Bank of Kentucky be, and they are hereby instructed to refund to the said John D. Hay so much of the said thirty-one hundred dollars as will constitute the just proportion of this Commonwealth; the amount of her stock in said bank being assumed as the criterion of liability.

Which was received, read, and laid on the table.

Mr. Tibbatts moved the following resolution, viz:

Resolved, That the committee on education be instructed to inquire into the propriety of making compensation to the Rev. Benjamin O. Peers, for his expences and services in obtaining and laying before the Legislature, the information desired by a resolution of the last session, in relation to popular education.

Which being twice read, was adopted.

Mr. Beall from the select committee, to whom was referred a bill to amend the law in relation to the trustees of towns, reported the same with an amendment,

Which being twice read, was concurred in; and the said bill, as amended, ordered to be engrossed and read a third time to-morrow.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. J. Calhoun, from the committee of propositions and grievances—1. A bill to permit the citizens of Hickman county to locate their seat of justice by vote.

By Mr. Guthrie, from the committee of courts of justice—2. A bill to enable the infant heirs of John Bruce, deceased, to convey certain lands.

By Mr. Hardy—3. A bill to divorce Agnes Street from her husband, John Street, and John Cochran and Catharine Cochran.

By Mr. Ray—4. A bill to appropriate some of the vacant lands in Casey and Wayne counties, to the improvement of the roads in said counties.

By Mr. Jonas—5. A bill to give the sheriff of Grant county, further time to return his delinquent list.

By Mr. Boyd—6. A bill to establish a State road from the Iron Banks, in a direction to Hopkinsville.

By Mr. J. Calhoun—7. A bill to legalize the proceedings of the circuit and county courts of Hancock county.

By Mr. Declary—8. A bill to amend the militia laws.

By Mr. Preston—9. A bill for opening a road from Bell's, in Barren county, to the cross roads near the Allen and Simpson line.

By Mr. Butler—10. A bill for the benefit of the Frankfort and Shelbyville Turnpike road company.

By Mr. Combs—11. A bill to encourage the culture and improved preparation of hemp, for manufacture.

Which bills were severally received and read the first time, (and with the exception of the 11th bill, which was rejected,) ordered to be read a second time.

And thereupon the rule of the House, constitutional provision and second reading of the 3d, 4th, 5th, 6th, 7th and 10th bills having been dispensed with, the 3d, 5th and 7th, the 3d having been amended at the clerk's table, were severally ordered to be engrossed and read a third time; the 4th, 6th and 10th, the 4th having been amended, was with the amendment, committed to the committee on internal improvements.

And thereupon the rule of the house, constitutional provision and third reading of the 3d, 5th and 7th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate, and request their concurrence.

The House resumed the consideration of a bill to repeal the law "allowing pay for slaves executed."

The reading of said bill was called for, and it was again read as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the act of 1798, in force from the first of March thereafter, as authorizes and requires the Auditor of public accounts, to issue his warrant on the Treasury for the amount of the valuation of any slave or slaves, condemned to suffer death agreeably to law, in favor of the owner or owners of said slave or slaves, and the Treasurer required to pay the same on the said owner or owners producing to the said Auditor, the certificate of the clerk, that the said slave or slaves were condemned, and the sheriff's certificate that said slave or slaves were

executed, or perished before execution, be, and the same is hereby repealed.

The question was then taken on engrossing the said bill and reading it a third time, which was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Murphy and Smith, were as follows, viz:

YEAS—Mr. Speaker, Messrs. W. B. Allen, Barlow, Beaseman, Beauchamp, Boyd, Brown, Bruce, Burns, Cassidy, Chambers, Coleman, Daniel, Dougherty, Durham, Elliott, Hardy, Harlan, Hays, Heady, Hill, Hise, Kouns, M'Brayer, M'Donald, Mize, Morris, Murphy, Parks, Penn, Preston, Rice, Sisk, Smith, Tibbatts, Walker, Williams, Wilson and Yates—40.

NAYS—Messrs. Anderson, B. Allen, Baily, Beall, Burton, Butler, G. Calhoon, J. Calhoon, Combs, Cox, Crow, Declary, Fisher, Griffith Guthrie, Harris, Harrison, Hawes, Head, Irwin, James, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Laughlin, Lewright, Long, Love, C. S. Morehead, Oglesby, Owsley, Parker, Porter, Ray, Roberts, Robertson, Rodes, Rucker, Shanks, Shannon, Short, Taylor, Thomas, Tomlinson, True Venable, Wheeler, White, G. W. Williams, E. J. Wilson, Woolfolk, Worthington and Wright—55.

And then the House adjourned.

SATURDAY, JANUARY 2, 1830.

1. Mr. J. Calhoon presented the petition of James Brown, praying the remission of the State price due upon four hundred acres of land, located by him under Kentucky Land Office warrants, which land he states has been lost by suit.

2. Mr. Anderson presented the petition of John Jennings, administrator of Benjamin Mason, deceased, praying that a law may pass to authorize him to carry into effect, certain parol contracts for the conveyance of lands made by said decedent, in his lifetime.

Which petitions were severally received, the reading dispensed with and referred:

The 1st, to the committee of claims; and the 2d, to the committee of courts of justice.

A message was received from the Senate, announcing the passage of a bill which originated in this house, entitled "an act to give the sheriff of Grant county, further time to return his delinquent list."

Mr. J. Calhoon, from the committee of propositions and grievances, made the following report:

The committee of propositions and grievances, have had under consideration, the petition of sundry citizens of Whitley county,

praying to be added to the county of Laurel, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Also, the petition of Hugh Talbott, praying that he may be paid for his services as a director for the Commonwealth's Bank, and for the value of a lot sold by the Bank, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Also, the petition of sundry citizens of Harrison county, praying for an additional constable, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Also, the petition of sundry citizens west of the Tennessee river, praying that the land office be removed from Waidborough to Mayfield, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Which being twice read, was concurred in.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. J. Calhoun, from the committee of propositions and grievances—1. A bill for the benefit of Abraham Smith.

2. A bill to add a part of Ohio, to the county of Breckinridge.

3. A bill to add a part of Caldwell, to the county of Trigg.

4. A bill for the benefit of Sarah Mitcherson and others.

By Mr. Guthrie, from the committee for courts of justice—5. A bill in relation to the Georgetown and Cincinnati Turnpike.

6. A bill for the benefit of the Louisville Insurance Company.

7. A bill to amend the *penal laws*.

8. A bill for the benefit of Richard Taylor and others.

9. A bill for the benefit of Polly Flowers.

Which bills were severally received and read the first time, (and with the exception of the second and third bills, which were rejected,) ordered to be read a second time.

And thereupon, the rule of the House, constitutional provision and second and third readings of the 1st, 4th, 5th, 6th, 7th, 8th and 9th bills having been dispensed with, (the 4th and 7th having been amended at the clerk's table) and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

Mr. Guthrie, from the committee for courts of justice, made the following report:

The committee for courts of justice, have had under consideration the petition of Wm. Oglesby, administrator of Sarah Cain, and have come to the following resolution:

Resolved, That said petition be rejected.

They have also had under consideration, the petition of the

heirs of W. A. Withers, and have come to the following resolution:

Resolved, That the said petition be rejected.

Which being twice read, was concurred in.

Mr Guthrie, from the same committee, to whom was referred a bill from the Senate, entitled "an act for the benefit of the heirs of John Head," reported the same without amendment.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof.

Mr. Combs, from the committee of ways and means, made the following report:

The committee of ways and means have had under consideration, (according to order,) so much of the Governor's message, as communicates the intelligence that the resources of the Commonwealth during the last fiscal year, ending on the 10th day of October, 1829, were less than its expenditures, by \$66,371 51, and that unless some competent provision be made by the Legislature, there will probably be a deficit in the Treasury on the 10th day of October, 1830, of \$102,835 17, and beg leave to submit the following report:

By the Auditor's official report referred to them, it appears that the total amount of receipts into the Treasury, for the year, ending the 10th day of October, 1829, was

\$154,065 80

Including the sum of

29,835 00

Received from the Bank of Kentucky for distribution of State stock, which was according to law, immediately subscribed and paid for stock in the Bank of the Commonwealth, as other money received from the same source during the present year, will be. Deduct this from the above aggregate receipts, and there will remain

124,230 80

This remainder is constituted as follows:

1st—Nett proceeds of interest received from the Bank of the Commonwealth,

23,116 75

2d—From sales of lands west of the Tennessee river,

23,196 15

3d—From all other sources, *ie.* from sheriffs, clk's, &c.

77,917 90

Total as above stated,

\$124,230 80

The total expenditures during the same period, were

\$147,730 32

exclusive of the said \$29,835, received for distribution of stock from the Bank of Kentucky, and paid for stock in the Bank of the Commonwealth as an additional guarantee for the final redemption of the notes of said Bank, still in circulation.

To this amount of expenditures, add the balance due from the Commonwealth, on the 10th day of October, 1828, viz.	\$30,958 09
Aggregate, deficit and expenditures,	\$178,696 41
From which, deduct the total receipts as before stated, viz:	124,230 80
And you have the actual deficit in the Treasury, on the 10th day of last October,	54,465 61
To this deficit, add <i>debts</i> due from the government on the said 10th day of October, 1829; <i>vide</i> Auditor's report, table 4.	11,905 90

Making the total present deficit \$66,371 51

Is it probable that the receipts into the Treasury during the current year will diminish this deficit? From all the lights afforded, and information obtained by your committee, they are constrained to say, the reverse will be the fact. The revenue laws of the State must be so amended as to increase the annual receipts into the Treasury, or the evil above shewn will continue to increase, until it will become wholly insupportable, and the good people of this Commonwealth, instead of contributing yearly, an amount so small as scarcely to be felt, will be inevitably compelled to bear a load of taxes in a high degree onerous and oppressive; there is, *there can be no alternative*. The civil functionaries of the government must be maintained, the executive, legislative and judicial departments supported, in a manner alike worthy of them and their constituents, or the government itself must be dissolved.

To place this matter in a point of view, admitting but one opinion, to reduce the conclusions at which your committee have arrived; to a mathematical certainty, in addition to the facts above set forth, they caused the Auditor to make out two tables, herewith submitted, marked A. and B.

From table A. it will appear that the aggregate receipts into the Treasury, from SHERIFFS, for *eleven* years, from 1819 to 1829, inclusive, amount to \$795,573 69
 Being an annual average of \$72,324 88, which is more by \$9,266 56, than was received from that source in 1828, and more by \$10,932 83, than was received last year, arising as your committee presume, mainly from three causes: 1st, the frequent changes in the mode of taking in lists of taxable property; 2d, the property having been valued for a portion of said period at its nominal value in Commonwealth Bank notes, and 3d, the practice of taking in lists one year and not making collections till the next, thus giving opportunity for numerous changes and removals.

From the same table it appears that the aggregate receipts during the same period, of 11 years, from clerks, amount to \$134,566 99

Being an annual average of \$12,233 36

That the aggregate payments from the Treasury during the above period, exclusive of Bank stock, amount to \$1,828,846 50

Being an annual average of 166,253 77

Now add together and deduct from the above sum the annual receipts from *sheriffs* and *clerks*, as before stated, say,

\$72,324 88

And

12,233 36—84,558 24

And the average amount supplied from other sources, annually, will appear to have been \$71,700 53

The difference apparent between the receipts from *sheriffs* and *clerks* and the expenditures was supplied, for the first three years, viz: 1819-20 and 21, mainly by dividends derived from our stock in the State Bank.

By the operation of various laws, those dividends began to diminish the next year (1822) and ceased to be made in 1824.— From the year 1822 to the present time, the dividends derived from the Bank of the Commonwealth, and the proceeds of lands sold west of the Tennessee river, came first in aid, and then in place of the dividends, received from the State Bank, and have enabled us thus far, to “make both ends meet;” (with the exception herein apparent) without resorting to additional direct taxation. These last sources of revenue have now almost entirely failed, and in a brief period will be entirely dried up.

Under such circumstances, your committee cannot hesitate to believe, that the Legislature of Kentucky will feel itself compelled to follow alike the dictates of reason, prudence and justice, and make such alterations and amendments in the revenue laws of the Commonwealth as will supply the present actual deficit, and prevent any like occurrence in future. Having presented the facts, your committee would consider it but useless trifling, to attempt a labored argument to sustain what has seemed to them so entirely unquestionable.

No man can be found to deny, that a government like ours, founded on the will of the people and constituted exclusively to promote their happiness and prosperity, should be supported by the people; to doubt their willingness to do so, would be to offer an insult equally to their intelligence and patriotism. Your committee, therefore, were at no loss to resolve, unanimously, on the expediency, of at once amending the revenue laws of the country, so as to relieve us from a situation so unworthy and humiliating.

It is believed that the taxes now paid by the people of Kentucky, are lower than what are paid in any other State in the Union. We know that our younger sister, Ohio, with fewer facilities to acquire wealth, a less productive soil, more rigid climate, and poorer population in the aggregate, collects annually from her citizens, an ad valorem tax, *eleven* times as high as is assessed in this State, and yet we hear of no complaints among the people—no putting down of honest, independent statesmen, in order to put up demagogues and drivellers in politics. Progressing rapidly in prosperity, internal improvement, and the arts of civilization, that State presents an example to her elder, as well as to her younger sisters, equally glorious and worthy of imitation.

A great and free Republic, should not approximate, however remotely, to the character of an idler and a spendthrift, who, living beyond his income, drags out a wretched life of hardships and privation, and then dies in penury and want, equally contemned while living and unlamented when no more. He is unworthy of his birthright and but half a freeman, who has not soul enough to give a paltry cent or two towards the general weal. Such are the feelings and opinions of your committee.

The question now presents itself, as to what modification or amendment of the revenue laws shall be made? But two modes have suggested themselves—1st. To increase the ad valorem tax from 6 1/4 on the \$100 (the present amount,) to 8 or 10 cents; or—2d. To add other subjects of taxation to the list? Both would be just; *neither can be oppressive.*

After mature reflection, a majority of your committee concur in adopting the latter mode, and have instructed their chairman to prepare the following resolutions. All which is respectfully submitted.

LESLIE COMBS,

Chairman Committee Ways and Means.

1. *Resolved*, That it is expedient to amend the revenue laws of this Commonwealth, so as to make the annual receipts into the treasury, meet the annual expenditures therefrom.

To effect which,

2. *Resolved*, That it is just to add to the present list of taxable property, male cattle and barren heifers over two years of age.

3. *Resolved*, That it is expedient to levy a tax of 50 cents on each gold watch, and 25 cents each on other watches.

4. *Resolved*, That it is expedient to permit tavern licenses to issue as now provided by law, with the condition that the tax shall be paid at the time of granting the license, and the several clerks be compelled to account for the same annually, in the same manner as they do for taxes on deeds; and further, that licenses be granted to retailers of spirituous liquors, under certain restrictions, at the price of \$15 each, to be paid at the time of obtain-

ing the license, to the clerk of the court, and to be accounted for as taxes received from tavern keepers.

5. *Resolved*, That it is expedient to repeal so much of the revenue laws now in force, (vide 2nd Digest, page 1075,) as exempt from taxation, "machinery moved by steam, factories of hemp, cotton, flax, wool, iron, paper, and fermented or distilled liquors.

6. *Resolved*, That it is expedient to levy a tax of 5 per cent. on all men's boots, shoes and hats; saddlery, spun cotton and leather, made out of this Commonwealth, at the invoice prices.

7. *Resolved*, That it is expedient to levy a tax of 20 cents on each \$100 of goods, wares and merchandize, at the invoice prices, (salt excepted,) imported annually into this Commonwealth.

8. *Resolved*, That where the suits instituted in any circuit court in this Commonwealth, amount annually to more than one hundred in number, the clerk of said court shall receive no pay for ex officio services; and where the number of suits instituted annually amount to more than 150, the clerk shall receive no pay for ex officio services, or for record books and stationary; and clerks of county courts, whose fees, taxed or paid, amount to \$750 annually, shall receive no pay for ex officio services.

(See opposite Tables.)

Ordered, That the public printer forthwith print one hundred and fifty copies of said report for the use of the members of this House.

The House took up for consideration, a resolution reported on yesterday by Mr. Butler, from the committee to whom was referred, the petition of John D. Hay.

Ordered, That the said resolution be committed to a committee of the whole house, for this day.

The House then, accordingly resolved itself into a committee of the whole House on said resolution, Mr. Combs in the chair; and after some time spent therein, the Speaker resumed the chair and Mr. Combs reported that the committee had, according to order, had under consideration, the resolution above referred to, and had gone through the same with an amendment, which he handed in at the clerk's table.

Which being twice read, was concurred in.

The said resolution as amended, was then read, as follows:

Whereas, John D. Hay was, in the year 1814, possessed of the sum of thirty one hundred dollars in notes of the Bank of Kentucky, and lost the whole thereof, by the accidental conflagration of his dwelling: Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That while this house recognize the danger of the rule which would permit appropriations from the Treasury, to satisfy claims, depending for the proof of their justice mainly upon the oath of the applicant, yet that entertaining in this case, no doubt of the propriety of this claim,

Resolved, That the same ought to be paid,

of the

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clusive.

RECEIPTS.

ES.

selected

1. Mr. Parker presented the petition of sundry citizens of Mason county, praying that a law may pass, authorizing the appoint.

A STATEMENT

Of Receipts and Expenditures at the Treasury of the State of Kentucky, from 1819 to 1829, inclusive.

DATE.	RECEIPTS.							EXPENDITURES.			
	From sheriffs.	From clerks.	From Bank Kentucky for dividend.	From Bank Kentucky for distribution of stock	From Bank Common'th. of Kentucky.	From sale of Lands west of Tennessee River.	Total including all the different sources of Revenue	Stock subscribed in Bank of Kentucky.	Stocks subscribed in Bank of Commonwealth of Ky.	Expences exclusive of Bank Stock.	Total expenditures.
Year ending 10th Nov. 1819,	57,337 93	11,740 21	37,148 50				181,248 10	19,400 00		144,504 28	163,904 28
11 months ending 10 Oct. 1820,	82,157 64	11,942 04	37,250 01				175,714 98	20,300 00		138,709 18	159,009 18
One year ending 10th Oct. 1821,	78,611 22	13,469 56	38,078 33				182,652 21		12,800 00	166,731 75	179,531 75
Ditto, 1822,	75,123 35	11,046 21	26,105 63		61,248 34		232,446 66		79,215 13	172,196 09	251,411 22
Ditto, 1823,	66,628 17	10,816 41	14,917 50		46,403 07	2,592 00	191,578 74		28,009 50	205,433 59	233,443 09
Ditto, 1824,	75,711 03	12,124 28	11,934 00	59,670 00	66,797 91		257,122 97		83,604 00	221,958 38	305,562 38
Ditto, 1825,	72,176 54	11,863 34		119,340 00	66,148 71	11,400 00	312,095 18		130,740 00	171,332 33	302,072 33
Ditto, 1826,	73,387 64	11,601 96		59,670 00	37,053 02	33,519 80	231,164 71		88,850 00	150,250 90	239,100 90
Ditto, 1827,	89,985 80	14,765 37		59,670 00	36,115 17	19,228 25	230,534 06		59,670 00	155,482 41	215,152 41
Ditto, 1828,	63,058 32	13,702 88		29,835 00	10,486 27	38,383 75	158,816 11		29,835 00	154,509 27	184,344 27
Ditto, 1829,	61,396 05	11,494 73		29,835 00	23,116 75	23,196 15	154,065 80		29,835 00	147,738 32	177,573 32

The above statement is correctly taken from the books of my office.

AUDITOR'S OFFICE, Frankfort, Ky. Dec. 14, 1829.

Note—In addition to the amount received in 1826, from the Bank of the Commonwealth of Kentucky, as stated above, there was a credit given Sam'l. South, the former Treasurer, for amount over-drawn by him, of \$13,560 30—there has also been received from said Bank, since the 10th Oct. 1829, \$15,213 44.

THOMAS S. PAGE, Clerk,
For P. CLAY, Aud. Pub. Accounts.

THOS. S. PAGE,
For P. CLAY, Auditor.

TABLE, B.]

A TABLE

Of Delinquents, Commissions, &c. credited the Revenue Account, shewing at the same time, the Total and Nett Revenue, from 1818 to 1827, inclusive.

DATE.	Delinquents, ex-operations by court, errors corrected and sale of lands.	Commissioners for collecting Revenue.	Wolves killed.	Total delinquents, &c.	Total revenue.	Nett revenue.
1818,	\$7,302 39	\$6,283 13	\$1,718 00	\$15,303 52	\$89,667 18	\$74,363 66
1819,	10,461 62	7,214 78	1,623 00	19,299 40	104,119 96	84,820 56
1820,	7,817 11	6,243 65	1,222 50	15,283 26	88,470 59	73,187 33
1821,	10,736 38	6,026 62	1,732 13	18,495 13	89,375 22	70,880 09
1822,	7,621 03	6,468 69	1,839 50	15,929 22	87,633 75	71,704 53
1823,	8,188 06	6,341 2	1,655 00	16,184 98	87,408 08	71,223 10
1824,	3,299 82	6,301 87	1,782 50	11,384 19	86,727 87	75,343 68
1825,	4,583 53	7,322 29	1,940 16	13,845 98	104,896 20	91,050 22
1826,	4,204 30	5,223 63	1,824 00	11,251 93	73,633 24	62,381 31
1827,	5,184 04	5,114 37	1,389 00	11,687 41	71,657 29	59,969 88

The above statements are correctly taken from the books of my Office.

AUDITOR'S OFFICE, Frankfort, Ky. Dec. 15, 1829.

THOS. S. PAGE,
For P. CLAY, Aud. Pub. Acc'ts.

... to satisfy
claims, depending for the proof of their justice mainly upon the
oath of the applicant, yet that entertaining in this case, no doubt
of the propriety of this claim,

Resolved, That the same ought to be paid,

Resolved further, That the Directors of the Bank of Kentucky, be, and they are hereby instructed and required to refund to the said John D. Hay, so much of the said \$3,100, as will constitute the just proportion of this Commonwealth; the amount of her stock in said Bank being assumed as the criterion of liability.

And the question being taken on the adoption of said resolution as amended, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Daniel and Butler, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Anderson, Bailey, Beall, Beauchamp, Bruce, Butler, G. Calhoun, J. Calhoun, Chambers, Combs, Cox, Crow, Declary, Field, Fisher, Griffith, Guthrie, Harrison, Hawes, Hays, Head, Heady, Jonas, Johnston, J. H. Jones, Kennedy, Kouns, Laughlin, Lewright, Love, McDonald, C. S. Morehead, Oglesby, Parker, Penn, Porter, Ray, Shanks, Shannon, Short, Taylor, Thomas, Tibbatts, Tomlinson, Venable, Wheeler, White, G. W. Williams, E. J. Wilson, W. C. Wilson, Worthington and Wright—53.

NAYS—Messrs. B. Allen, W. B. Allen, Barlow, Beaseman, Brown, Burns, Burton, Cassidy, Coleman, Daniel, Dougherty, Durham, Elliott, Hardy, Harlan, Harris, Hill, Hise, Irwin, H. Jones, McBrayer, Mize, Morris, Murphy, Owsley, Preston, Rice, Roberts, Robertson, Rodes, Rucker, Sisk, Smith, True, Walker, S. Williams, W. J. Williams, Woolfolk and Yates—39.

Ordered, That the clerk carry the said resolution to the Senate, and request their concurrence.

Mr. Tibbatts, from the committee of conference, on the subject of the amendment proposed by the Senate, to a bill which originated in this house, entitled "an act to allow the Independent Banks in this Commonwealth, further time to settle their concerns," made a report.

Which being twice read, was concurred in.

Ordered, That the clerk inform the Senate thereof and request their concurrence in said report.

And then the House adjourned.

MONDAY, JANUARY 4, 1830.

A message was received from the Senate, announcing the passage of a bill, entitled an act for the benefit of Henry Waddle, and of a resolution fixing a day to elect public officers.

On motion—

Ordered, That the leave granted to bring in a bill for the benefit of Jarret Willingham and John Lockridge, be referred to a select committee of Messrs. James, Boyd and Hughes.

1. Mr. Parker presented the petition of sundry citizens of Mason county, praying that a law may pass, authorizing the appoint-

ment of an additional justice of the peace and constable, for said county.

2. Mr. Declary presented the petition of John Deverin, praying that he may have the benefit of a licence to keep a Billiard Table for twelve months, free of expence, or that he may have refunded to him, five hundred dollars, which he paid for a tax on a Billiard Table, which he has been unable to set up.

3. Mr. Smith presented the petition of Edmund Gresham, praying the passage of a lay attaching him to the county of Rockcastle.

Also, the petition of James P. Carpenter, praying that a law may pass, attaching him to Laurel county.

5. Mr. Allen, of Green, presented the petition of Daniel Dulaney, praying a divorce from his wife, Sally Dulaney.

Which petitions were severally received, the reading dispensed with and referred,

The 1st, 3d and 4th, to the committee of propositions and grievances; the 2d, to the committee of claims; and the 5th, to the committee of religion.

Mr. Gathrie, from the committee for courts of justice, to whom was referred, a bill for the benefit of public schools in the city of Louisville, reported the same with an amendment.

Which being twice read, was concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time to-morrow.

Mr. Hardy, from the committee of religion, made the following report:

The committee of religion, have, according to order, had under their consideration, the petition of James Ferguson, praying to be discharged from the penalties of the law; his wife having been divorced by a decree of the Fayette circuit court, and have come to a resolution thereon:

Resolved, That said petition is reasonable.

Also, the petition of Elizabeth Youngman, praying to be divorced from her husband, John Youngman; the committee have come to a resolution thereon:

Resolved, That said petition be rejected.

Which being twice read, was concurred in.

Ordered, That the said committee prepare and bring in a bill pursuant to the first resolution.

Mr. J. T. Morehead, from the committee on internal improvements, to whom was referred "a bill to appropriate some of the vacant lands in Casey county, to improve a road in said county," reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time, to-morrow.

Mr. C. S. Morehead, from the committee on education, made the following report:

The committee on education to which was referred, so much of the Governor's message as relates to schools and seminaries of learning, have had the subject under consideration and beg leave to report.

That they have examined the communication from the Rev. Benjamin O. Peers, made in obedience to a resolution of the last session of the General Assembly, requesting him to communicate to this Legislature any information he possessed upon the subject of common schools, and which he might think would aid in the adoption of a system for the State of Kentucky. They feel highly gratified to give it as their opinion, that the subject in his hands has received the most thorough, accurate and minute investigation. His communication herewith accompanying this report, contains a body of information which cannot but prove acceptable to all who are friendly to the diffusion of education. Your committee cannot better recommend it than by inviting the closest attention and examination of its details.

They have also had under consideration the report of the Auditor, made in pursuance of a resolution of the last General Assembly, communicating as far as returns have been received, the number of children between four and fifteen years of age, and designating the number at school in the respective counties of this Commonwealth. It is a matter of regret, that but partial returns have been made; from more than half the counties there are no returns. There are from eight counties, the list of the children only. From 34 counties, there is a designation also of the number at school; but even from these counties, the information cannot be relied upon as accurate.

The aggregate number of children in the 34 counties, as returned, is 51,702, and the whole number at school 10,945. Although it is believed and hoped that the whole number at school has not been returned, yet your committee is constrained to think, taking those counties from which correct returns are supposed to have been received as data, that the number at school will not amount to more than one third of the aggregate number of children. If this conclusion may be relied upon as correct, Kentucky is now called upon by every consideration connected with her interest and her pride of character, to make a commencement, however feeble, in the great cause of popular education. To the patriot, it is melancholy to reflect, that so large a portion of the rising generation is without the means of instruction, while the vast multiplication of books, their cheapness, and the constant and progressive improvement in teaching, have brought the intellectual treasures of every science almost within the grasp of universal attainment.

The difficulty of adopting a practical system which will diffuse its blessings through society, is felt and acknowledged. There is danger, if an attempt should be made to adopt one by the

Legislature, which, from any circumstance, should prove unsuccessful, that the whole scheme will be viewed as impracticable, and abandoned as visionary. The peculiar situation of this State, deriving much the larger part of its population from Virginia, where the efforts upon this subject have been signally unsuccessful; the habits and feelings of the people; the sparseness of population in many counties; the want of fixed and permanent school districts, by known and long established demarcations and boundaries; and the limited extent of pecuniary means, are considerations of the highest importance and deserving the most mature deliberation. The literary fund amounts to \$140,917 44, the interest upon which would give a fund annually of only \$8,455 04. It is obvious that this fund, divided among as many districts as would have to be formed, could be productive of no practical good. It is the belief of your committee, that the disbursement of this sum on the part of the State in aid of any system which may be adopted, would prove entirely inefficient, and a useless expenditure of money. While, however, they acknowledge the inadequacy of the present fund, to afford any inducement to the multiplication of schools, they are far from thinking that no legislative effort is necessary. Had the Legislature a fund of sufficient amount at its disposal to offer an inducement to general self taxation by the people in their respective districts for the purpose of education, it might facilitate the adoption of any system which it would be thought wise and prudent to propose. This stimulus, under existing circumstances, cannot be offered, but the power of self-taxation may be extended to such school districts as the county courts may establish. The rich and populous portions of the country, will need nothing more than the bare authority to tax themselves. They will educate their children whether legislative patronage is afforded or not; they know that they have to pay, and it is only a question in what manner the money shall be raised. Neighborhood interest will soon discover the secret, that it is generally cheaper and better, and more to the advantage of a great majority of the district, that a considerable part at least of the salary of the teacher should be raised by taxation. The successful example of one district will soon be followed by another, and thus a system will gradually commence by the voluntary exertions of individuals prompted by their interest, which will in time extend itself throughout every region of the State. In support of this opinion, the committee feel a pride in referring to the free school of the city of Louisville. In the act incorporating that city, the power of taxation for the purposes of education was granted, and from that source alone, a school has been established upon the monitorial system, which is now dispensing its blessings to two hundred and seventy-five children. Although it is believed that the experiment at Louisville, will be found in time to be attended with some evils, and that the system will re-

quire amendment, it is still a gratifying circumstance, that there is even one school to which your committee can, in the spirit of exultation, point as a monument of the liberality and public spirit of the district in which it is located. It may however be asked, if all is to come from the people at last, why not leave the whole subject to the individual exertions and necessity of those who may have children to educate? To this there are many obvious and conclusive answers. In the first place, we find from the unaccountable apathy upon this subject, which pervades the community, that the great majority of the rising generation is growing up in ignorance, and that many of those who have children feel not a sufficient interest in the subject to afford them the most ordinary means of instruction. In the second place, in a land of freemen, it is the interest of every man that there should be a universal diffusion of knowledge, and all should therefore pay something in order to produce so desirable a result. The man who has no children to educate, has no more right to complain of the payment of taxes to educate the children of others, than he who has never had any law suits would have to complain of taxes to support courts of justice. Besides, money is appropriated in various instances to the support of the higher schools of learning, which is collected by taxation upon all, and why should not primary schools receive equal encouragement and countenance? In the third and last place, when taxes are imposed on all, those who have children will be urged by the payment of small sums, to pay something more and send them to school to reap the reward of what they pay; and the cost of education will be lessened and brought within the reach of the poorest man in the community, by what will be paid by those who have no children, and by the greater amount collected from the rich.

Your committee think, that although the school fund cannot aid in the establishment and extension of a general system, that it yet may be made subservient to many valuable purposes. The improvement of common education; the making it of a higher order; the requisition of superior qualifications on the part of the teachers, are objects to which, if judiciously applied, would be attended with incalculable benefits.

The Legislature of Kentucky, at an early period of its history, with a spirit which will always deserve commendation, appropriated six thousand acres of land to each county in the State, for the purpose of establishing seminaries of learning. As new counties have been formed, new grants have generally been made. The disposition, management and control of the lands of each seminary have been left to its trustees. There has, consequently, been no uniformity, no general plan, no systematic adoption of measures which would secure success to all. In most instances, the land has been sold to speculators, and all the proceeds invested in one costly building, which stands as the monument of the

folly of its projectors. Notwithstanding all this, much good has resulted from the establishment of these seminaries, and under the judicious patronage of the Legislature, much more may be done. Various articles of philosophical apparatus for familiar and practical illustrations, might be furnished by the State, wherever sufficient interest was manifested on the part of the county seminary, as to furnish one half the cost. Apparatus well adapted to this purpose, and which cannot be too highly commended for its practical utility and cheapness, is prepared under the direction of Mr. J. Holbrook of Boston, and introduced into the various lyceums of the Eastern States. "The subjects which the apparatus is designed to illustrate, are Geometry, Arithmetic, Natural Philosophy, Chemistry and Astronomy."

"For Geometry are two sheets of diagrams, fifteen geometrical cards, four transposing figures, twenty-six solids, and a book of questions and illustrations, or easy lessons in Geometry."

"For Arithmetic, are one of the sheets mentioned for Geometry or the Arithmeticon, a numeral frame, or Arithmometer, and a set of Cubes."

"For Natural Philosophy, are the mechanical powers, viz: levers, simple and compound, pulleys, single and multiplied, wheel and axle, inclined plane, wedge and screw, air pumps, a frame for showing compound forces, ivory balls, syphon and hydrostatic bellows."

"For Astronomy, are an orrery, or a simple representation of the solar system, showing the comparative size of the planets, distances from the sun, and motions, a tide dial, an instrument to show the cause of a tide on a side of the earth opposite the moon, several for eclipses and change of seasons, and one to show why the earth and other planets are flattened at the poles." These articles it is thought might be introduced at a trifling expence, all here enumerated, not costing over \$75, into the various county academies, and become extensively and permanently useful. As none would get them which did not feel a sufficient interest to advance one half the cost, the same interest would secure their preservation and probable usefulness. The county academies would, in time, render essential aid in the establishment of common schools.

No legislation can be effectual upon the subject, which does not excite an inquiry, an interest, a zeal in the great body of the community. Your committee cannot think of any thing which will give a more direct and immediate impulse to public feeling than the proposed distribution of apparatus. It will begin at the seat of the academy and extend itself through the country. The question of the propriety of taxation will be presented in various districts, and discussed. The public attention at least will be aroused, and the cause of education and the proposed plan for its diffusion, has every thing to gain and nothing to lose. If some

districts should refuse to exercise the power of self-taxation, as no doubt at first many will, the discussion of the subject alone will awaken an interest, the influence of which will be seen and felt in the increased number of children sent to school.

In connection with this interesting subject, may be considered the present state of our colleges and the University. It is certainly matter of gratulation, that the religious zeal of the pious and devout christian, should sometimes manifest itself in the erection and endowment of colleges and seminaries of learning. To this is the public indebted for the various colleges which have been established by the prevailing religious denominations in the State. It is believed that they are all in a flourishing condition. They do honor to their founders, and are the ornaments of the State. They furnish a living and practical illustration of the benefits and blessings of religious freedom and toleration.

Transylvania University is the only college which has been made a State institution. Its proud and magnificent halls are now a heap of ashes. Your committee consider it a State calamity. Misfortune, to which every thing in the various vicissitudes of human life is subject, has overtaken it. It claims in its fallen state, the commiseration and good feelings of the benevolent, the pious and learned. The towering genius of him who once guided its destinies, was not left to witness its fate. There are many considerations why it is desirable that it should be fostered and sustained. It is at present under the superintendance of an able, enlightened and pious president, who gives universal satisfaction. He applies the whole energies of his powerful mind, with unwearied zeal and industry, to the great cause in which he has pledged his reputation and his fame. He has succeeded beyond the most sanguine expectations of his friends, and notwithstanding the crumbling ruins of the principal building, the University is, in all other respects, in a prosperous and flourishing condition. The State is directly interested in the continuance of its present usefulness. Independently of all the moral benefits which are to flow from it, if sustained, the Commonwealth has an actual capital invested in the remaining buildings, library, grounds, &c. which sound economy requires should not be permitted to go to waste. The proud and exalted character of Kentucky among her sister States, is concerned in its preservation. It is her child, visited by misfortune, and appealing in its struggling condition, to the generous sympathies of a magnanimous parent. No splendid endowment is asked; no appropriation of money is expected. Your committee believe that a loan from the State of a portion of the literary fund, which now remains inactive, would answer all the purposes of resuscitation, and place it at once upon its former high and elevated standing. They therefore recommend a loan until such period, which cannot be far distant, that the trustees can make their funds available. The re-

payment might be amply secured to the State, and in time, the same sum again applied in the promotion of objects deserving the patronage of an enlightened legislature. If it should not be thought advisable to do any thing in its behalf, your committee think that it should no longer be held as a State institution, but given up to be supported and sustained by the county of Fayette and town of Lexington. Our sister States are lending the fostering hand of government to their colleges and seminaries of learning. They are sending forth many of their young men well educated, who in turn become teachers of common schools, and diffuse through society the blessings of popular education. The most careless observer must have noticed the natural and intimate connexion between the establishment of colleges and the diffusion of popular instruction. The general dissemination of knowledge, it is true, has a more powerful effect in awakening the dormant energies of a nation, and preparing for a great catastrophe, than all the exertions of particular persons who may have monopolized the learning of the age; and was the question presented as to which was most important, popular education or the establishment of colleges, it could scarcely admit of debate.— Happily, however, their prosperity is intimately connected, and in giving an impulse to either, your committee have the consoling reflection, that its influence is felt upon both. It is too often thought, that the endowment of colleges is designed to favor the rich alone, and a prejudice is frequently excited, where none should exist. A little reflection should serve to convince every one, that the fact is directly the reverse. Nothing could so effectually tend to create an aristocracy of learning, as the total annihilation of colleges. The rich have the means, and will at any expence, give their children a liberal education. If they cannot obtain it at home, they will be sent abroad, and return with sentiments and feelings imbibed from those who may be alien to our institutions and unfriendly to our practical equality. As it is, how many, by receiving the light of science, have arisen from the lowest walks in life, to the highest stations in society. By whatever means and in whatever way, you extend the benefit of education, talent is developed, and becomes useful in some way or other, in promoting the prosperity of the country and drawing out its resources. The great object is, by extending the patronage of government to the higher schools of learning, to make instruction so cheap as to bring it within the reach of those who might otherwise have spent their lives in the darkness of obscurity. Your committee cannot dilate upon the importance to the State, of scientific education. They cannot take time to show how it mingles itself with all the practical purposes of life, and enters into every improvement which is made to advance the happiness and prosperity of the country. They forbear to allude to the character and standing, and literary reputation,

which, as a sovereign State, it is desirable it should maintain. They pass over these things, and beg leave for a moment, to present the subject in connection with the cause of liberty and a republican government. Whoever has looked into the history of our war for independence, must have noticed how much we are indebted for the first great impulse which was given to public spirit, to the powerful and energetic pens of those whose pure taste was chastened within the walls of William and Mary, and Princeton, and Cambridge. The names of Lee, of Rush, of Dickinson, of Madison, of Jefferson, and of Adams, will stand upon the pages of history as imperishable monuments of the learning, as well as the patriotism of the age of the revolution. The French revolution, owes its origin to the writings of her philosophers, and its wild extravagance to the lamentable deficiency of general information among the mass of the people.

The scholars of modern Greece, scattered over Germany and the Italian States, received the impulse of liberty from their seats of learning, and returning to their native country, in the year 1820, established a University at Corfu, and there excited the spirit which gave rise to the arduous struggle for national existence in the land of our classical recollections. The most illustrious of those whose names we have been taught to venerate, saw the importance to the country of colleges, and have left us either the precept or example for their establishment. Jefferson, whose name has been looked upon as connected inseparably with the great cause of human liberty and republicanism, dedicated the latter days of his eventful life, to the establishment, at an enormous cost, of the University of his native State. The great solicitude expressed upon this subject by the Father of his country, is a proof of the deep penetration of his philosophical intellect, and of his ardent and sincere desire for the permanency of those free institutions which he so essentially contributed to establish. While with the voice of parental affection, he warned his country to guard against sectional jealousy, and the baneful influence of the spirit of party, he expressed his deep conviction of the utility of a national University. Your committee might dwell much longer upon this branch of their subject; but the length of this report will not permit.

The whole matter referred to them, has claimed their earnest consideration, and deepest solicitude. They feel sensible of its direct and intimate connection with the happiness and prosperity of their country, and of its controlling influence over the permanency of its institutions. It has for some time past, engaged the almost constant and assiduous attention of the advocates of liberal principles throughout the world. There is an increasing, a growing importance attached to it. If an examination is made into the causes of the decline and fall of other Republics, it will be discovered that much is to be attributed to the neglected edu-

education of their youth. The influence of public opinion, to be salutary, must be enlightened. There is no instance in the history of any country, where knowledge has been generally diffused, that slavery has existed; and on the contrary, no free country has long continued free, which has been swayed by the iron sceptre of ignorance. Without this diffusion of knowledge, our liberty, like that of most other nations, who have waded through blood to obtain it, would soon have terminated in licentiousness and been succeeded by anarchy and despotism. Rational, practical liberty—that liberty which does not run into the extremes of turbulence and licentiousness, must be founded on the basis of knowledge. If, therefore, we wish to transmit to posterity, the sacred boon which our fathers have left us, we must not disregard those means, upon the use of which, its permanency so essentially depends.

Do you desire that the mass of the people and of the rising generation, should understand and know how to protect their rights? Bring into requisition all your means for the diffusion of education. Do you wish to add to the positive amount of human happiness and to give employment to the leisure hours of many who now pass them in listless apathy? Extend the means of popular instruction and give impulse to public feeling upon the subject. Should your bosoms swell with the thought of being, in some degree, instrumental in raising talents and merit and genius, from obscurity to the highest walks in life? Let the light of education be made to penetrate every sequestered vale, and brighten the countenance of every son and daughter of Kentucky. Finally; do you desire to give stability to our liberty, and our present form of government? Enlighten the public mind—Every school that is established, every child that is educated, every log school house that is built, are new and additional pledges for the perpetuation, and the growth, and the moral influence of your institutions. The government of the United States, more than that of any other, depends for its continuance, upon an enlightened public opinion. Its peculiar organization, connected with its geographical distinctions, and the active and energetic operation of distinct sovereignties upon supposed conflicting interests, might excite jealousies and civil war, and perhaps divisions of territory among an ignorant and unenlightened multitude. Universal education is calculated to allay this national jealousy; to make us look with liberality and kind feeling upon every member of our great confederacy; to treat with forbearance and respect their foibles and their errors; and to combine in one common cause, the energies of a great and united nation. It strengthens the ties of friendship which arise from our history; from our glorious struggle for freedom; from the great actions of our patriots and heroes; from our common language, from our institutions, in which all feel a pride; and from the bril-

liant and glorious prospects of future greatness and glory which are yet before us.

Ordered, That the public printer forthwith print 1000 copies of said report for the use of the members of this house.

Mr. Heady, from the committee on military affairs, reported a bill to amend the militia laws, which was received and read the first time and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of said bill having been dispensed with, the further consideration of said bill was postponed for the present, and 150 copies of said bill ordered to be printed for the use of the members.

Mr. Jonas read and laid on the table, the following resolution:

Whereas, it is represented to the General Assembly of the Commonwealth of Kentucky, that many of the good people of this State, are from time to time seriously afflicted with the disease commonly called the Milk sickness; and whereas, it is believed, that if the true cause of the malady could be discovered, many if not all, might be saved from its ravages:

Be it therefore resolved, That the sum of five hundred dollars be, and the same is hereby offered to any person or persons who shall discover and make known the true cause of said disease, and a specific cure for the same; and if any person shall discover the cause alone, he shall be entitled to half the above sum, and the person discovering the specific cure, the other half: *provided however*, that the said reward shall not be allowed, except the person or persons claiming the same, shall produce a certificate to the next Legislature, signed at least by three of the medical professors of Transylvania University, testifying that said discovery or discoveries have been made.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie, from the committee for courts of justice—1. A bill for the benefit of Foster's devisees.

By Mr. J. T. Morehead, from the committee on internal improvements—2. A bill to declare Big Caney, a navigable stream, and for other purposes.

By Mr. Beall—3. A bill to alter the mode of summoning petit juries.

By Mr. Wilson, (of Fayette,)—4. A bill to establish two fire companies in the town of Lexington.

By Mr. Wheeler—5. A bill for the benefit of Thomas J. Young.

By Mr. Guthrie—6. A bill to amend the act, entitled "an act to reduce into one, the several acts directing the course of descents;" and

By Mr. C. Morehead—7. A bill to authorize the insertion of advertisements in the Spy and the Religious and Literary Intelligencer.

Which bills were severally received and read the first time, and ordered to be read a second time.

And thereupon, the rule of the House, constitutional provision and second reading of the 1st, 3d, 4th, 5th, 6th and 7th bills having been dispensed with, the 1st, 5th and 7th were severally ordered to be engrossed and read a third time; the 3d and 6th were committed to the committee for courts of justice; and the 4th, to the select committee who introduced said bill.

And thereupon the rule of the House, constitutional provision and third reading of the 1st, 5th, and 7th bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate, and request their concurrence.

Leave was given to bring in the following bills:

On the motion of Mr. C. S. Morehead—1. A bill to authorize the insertion of advertisements in the *Spy* and the *Religious and Literary Intelligencer*.

On the motion of Mr. Thomas—2. A bill to amend the execution laws of this State.

On the motion of Mr. Irwin—3. A bill to authorize the surveyor of Logan county to transcribe certain books in his office.

On the motion of Mr. Daniel—4. A bill to increase the revenue of this Commonwealth, by tax on tavern keepers, or the retailers of spirituous liquors.

On the motion of Mr. Burns—5. A bill to provide for the completion of the road from Beaver Iron Works in Bath county, by way of West Liberty in Morgan county, to the Virginia line at Louisa.

On the motion of Mr. Thomas—6. A bill for the benefit of James Means, a justice of the peace for Montgomery county.

On the motion of Mr. Murphy—7. A bill to authorize the Trustees of Perry County Seminary, to make sale of their lands, and for other purposes.

On the motion of Mr. Robertson—8. A bill for the benefit of the clerk of Cumberland county court.

On the motion of Mr. Laughlin—9. A bill to complete the Whitley Turnpike road.

On the motion of Mr. Smith—10. A bill for the benefit of Thomas Lewis and Minerva Laswell, idiots of Rockcastle county.

On the motion of Mr. Mize—11. A bill for the benefit of William McLain, a deputy sheriff of Estill county.

On the motion of Mr. Allen, (of Green,)—12. A bill to allow pay to sheriffs for attending elections at precincts, and for other purposes.

On the motion of Mr. Roberts—13. A bill to provide for the

digesting of the militia laws of this Commonwealth, and for other purposes.

On the motion of Mr. Rucker—14. A bill allowing further time for the Commissioners of the Smithland and Waidsboro' roads to make their report.

On the motion of Mr. Murphy—15. A bill to authorize the surveyor of Clay county to transcribe certain books in his office.

On the motion of Mr. James—16. A bill for the benefit of widows and orphans.

On the motion of Mr. G. Calhoon—17. A bill providing for the sale of the real estate of infants, for the payment of taxes and debts.

On the motion of Mr. Griffith—18. A bill to improve the State road, leading from Owenborough towards Nashville.

On the motion of Mr. Declary—19. A bill for the benefit of mechanics.

On the motion of Mr. Wilson, (of Fayette)—20. A bill to incorporate the Bryan's station Turnpike Road Company.

On the motion of Mr. Laughlin—21. A bill for the benefit of Eaton Good.

On the motion of Mr. Hughes—22. A bill to establish a State road from Salem to John Berry's ferry, opposite Golconda, on the Ohio river.

On the motion of Mr. Guthrie—23. A bill to amend the act, entitled "an act to reduce into one the several acts, directing the course of descents."

On the motion of Mr. Robertson—24. A bill to render masters liable for civil trespasses, committed by their slaves.

On the motion of Mr. Wilson—25. A bill to amend the laws of this Commonwealth, in relation to the authentication of foreign deeds, and for other purposes.

On the motion of Mr. Beall—26. A bill to amend the laws in relation to constables.

Messrs. C. Morehead, James and Rucker, were appointed a committee to prepare and bring in the first; the committee for courts of justice, the second, sixth, nineteenth and twenty-sixth; Messrs. Irwin, Hise and Harlan, the third; Messrs. Daniel, Guthrie, Rodes and Jones, the fourth; Messrs. Burns, Wheeler, Rice and Thomas, the fifth; Messrs. Murphy, Love and Burns, the seventh; Messrs. Roberts, Owsley and Elliott, the eighth; Messrs. Laughlin, Love and Smith, the ninth; Messrs. Smith, Love and Durham, the tenth; Messrs. Mize, Thomas and Hays, the eleventh; Messrs. Allen, (of Green,) Hardy and S. Williams, the twelfth; Messrs. Roberts, Brown, Ray, Guthrie and Butler, the thirteenth; Messrs. Rucker, Griffith, Hughes and Boyd, the fourteenth; Messrs. Murphy, Love and Burns, the fifteenth; Messrs. James, C. Morehead, Ray, Boyd and Venable, the sixteenth; Messrs. G. Calhoon, Roberts and Smith, the seventeenth;

Messrs. Griffith, Crow and J. Calhoun, the eighteenth; the committee on internal improvements, the twentieth; Messrs. Laughlin, Beauchamp and Irwin, the twenty-first; Messrs. Hughes, Rucker and M'Donald, the twenty-second; Messrs. Guthrie, Butler and Johnston, the twenty-third; Messrs. Robertson, Chambers, Elliott and Burns, the twenty-fourth; and Messrs. Wilson, (of Fayette) Combs and Taylor, the twenty-fifth.

Mr. Combs moved the following resolution:

Resolved, That the claims of Ater, Rigg, McCalla, &c. in relation to the Lunatic Asylum in Lexington, be referred to the committee of claims.

Which being twice read, was disagreed to.

Mr. Williams (of Wayne) moved to obtain leave to bring in a bill further to regulate the execution laws, on the subject of land sold by execution.

And the question being taken on granting leave to bring in said bill, it was decided in the negative.

And so the said motion was disagreed to.

On motion—

Ordered, That the resolution offered by Mr. Hardy, on the 15th ultimo, relative to over-draughts made on the Bank of the Commonwealth by the Treasury, to defray the expences of Government, be committed to a select committee of Messrs. Hardy, Irwin and Allen, (of Green.)

On Motion—

Ordered, That the report of the committee on internal improvements, on the subject of the tariff and internal improvements, be committed to a committee of the whole House for Thursday next.

The House took up for consideration, the "preamble and resolution" offered by Mr. Smith, on the 30th ultimo, relative to Sunday mails.

A motion having been made for the postponement of said preamble and resolution until the first day of June;

The House, on motion, proceeded to consider the orders of the day.

A bill to encourage the diffusion of education, by a uniform system of public schools, was ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill was dispensed with, and the same having been engrossed, an engrossed clause by way of ryder, was then offered and adopted, as an amendment to the bill.

And then the House adjourned.

TUESDAY, JANUARY 5, 1830.

1. Mr. Kouns presented the petition of sundry citizens of Greenup county, praying that a law may pass establishing a Turnpike on the road from the mouth of Big Sandy, to the mouth of Triplett's creek.

2. Mr. Beall presented the certificates of sundry citizens of Spencer county, upon the subject of the navigation of Salt river.

3. Mr. James presented the report of the commissioners appointed by an act of the General Assembly, approved January 23, 1829, to view a way for a road from the town of Columbus, to the State line, in a direction to the town of Paris, in Tennessee.

Also, a remonstrance of sundry citizens of Graves and Hickman counties, against the establishment of the said road, as proposed in said report.

4. Mr. Wilson, (of Fayette,) presented the petition of Andrew McCalla, praying that a law may pass authorizing and directing the payment of the balance of the sum allowed to him by the commissioners appointed by an act of Assembly of 1826-7, to ascertain the balances due from the Lunatic Asylum.

Which petitions were severally received, the reading dispensed with and referred:

The 1st, 2d and 3d, to the committee on internal improvements, and the 4th, to the committee of claims.

On motion—

Ordered, That Mr. S. Williams have leave to record his vote, (it having been omitted in the printed journal,) on engrossing for a third reading, "a bill to repeal the law allowing pay for slaves executed." He therefore, voted in the affirmative.

Mr. White, from the committee on internal improvements, to whom was referred "a bill for the benefit of the Frankfort and Shelbyville Turnpike company," reported the same with amendments.

Which being severally twice read, were concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time to-morrow.

A message was received from the Senate, announcing the passage of a bill which originated in this House, entitled "an act to amend the laws defining the powers of the Trustees of the town of Newport," with an amendment.

And the passage of bills of the following titles:

An act to add a part of Ohio, to Daveiss county.

An act for the benefit of Samuel Campbell, late Sheriff of Caldwell county.

An act for the benefit of the Sheriffs of Breckinridge and Bracken counties.

An act concerning the public highways in the county of Fayette, and for other purposes.

An act for the benefit of the heirs of George Walters, deceased.

And their concurrence in the report of the committee of conference, on the bill, entitled "an act to allow the Independent Banks in this Commonwealth, further time to settle their concerns."

Mr. J. Calhoun, from the committee of propositions and grievances, made the following report:

The committee of propositions and grievances, have had under consideration the petitions of Edmond Grisham and James P. Carpenter, praying, the first to be added to the county of Rockcastle, and the second, to the county of Laurel, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Which being twice read, was concurred in.

On motion—

Ordered, That the committee for courts of justice be discharged from the duty imposed on them, of reporting a bill for the benefit of James Means, a justice of the peace for Montgomery county.

Mr. Combs, from the select committee, to whom was referred "a bill to establish two fire companies in the town of Lexington," reported the same with an amendment.

Which being twice read, was concurred in with an amendment.

And the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the house and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof, be amended by adding thereto, the words "and for other purposes."

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. Tibbatts, from the joint committee appointed to examine the Lunatic Asylum at Lexington, made the following report:

To the General Assembly of the Commonwealth of Kentucky:

In conformity to your act, the Commissioners of the Lunatic Asylum, Report: That in the annexed paper, marked (A,) you will find a list of the patients, their disease, age, date when received, from what county; also, the number that have been admitted since this humane establishment was founded by your honorable body—shewing, that since then, seventy-eight have been restored to society; and their friends, out of two hundred and forty that have been admitted.

In the paper marked (B) you will find an account of the monies received and disbursements made, shewing a balance in the Chairman's hands, of thirty-two dollars sixty-five cents. It may be proper to state, that this account exhibits the expense for the last thirteen months, and that the expense

of the new building exceeded our expectations. When the plans were submitted, and estimates made, it was found that a trifling additional expense would add a third story, and give thirty rooms, which were wanted, and to perfect which, we have been unable to complete the payments. The additional expense of the new wing, and the accounts running thirteen instead of twelve months, have left us in debt about eight hundred dollars; and furniture will be required for the new wing. Therefore we take the liberty of stating, that it will require at least eight thousand dollars to pay the debts and defray the expences of the institution for the ensuing year.

All which is respectfully submitted.

By order of the Board,

JOHN W. HUNT, *Chairman.*

Lexington, Dec. 31, 1829.

(A)

List of Patients remaining in the Lunatic Asylum, 31st December, 1829.

Date.	Disease.	Sex.	County.	Age.	No.
1824, May	4 Idiocy,	Male,	Fayette,	25	2
do.	do.	Female,	do.	23	3
do.	do.	do.	Breckenridge,	42	4
do.	do.	do.	do.	14	5
do.	do.	Male,	Casey,	23	6
do.	11 Epilepsy,	Female,	Nicholas,	28	9
do.	31 Amat.	Male,	Scott,	34	12
do.	do.	Female,	Franklin,	28	13
do.	3 Adolore,	do.	Madison,	51	14
do.	do.	do.	do.	30	16
do.	26 Mania,	Male,	Lincoln,	47	20
do.	10 do.	Female,	Butler,	42	23
do.	20 Catarna,	do.	Clark,	33	25
do.	7 Paralis,	Male,	Henry,	17	30
do.	14 Epilepsy,	do.	Madison,	37	32
do.	23 Mania,	Female,	do.	24	40
do.	do.	do.	Jefferson,	38	41
do.	25 do.	Male,	Fayette,	34	50
1825, Jan.	25 Idiocy,	Female,	Shelby,	23	55
do.	12 do.	Male,	Wayne,	30	67
do.	4 Mania,	do.	Shelby,	28	70
do.	15 do.	do.	Warren,	30	73
do.	31 Epilepsy,	do.	Wayne,	24	77
do.	7 Mania,	do.	Grayson,	30	78
do.	3 do.	do.	Mississippi,	26	81
do.	28 do.	do.	Knox,	28	92
1826, April	4 Dolore,	do.	Jefferson,	20	101
do.	14 Mania,	Female,	Harrison,	37	102
do.	13 Idiocy,	do.	Garrard,	22	104
do.	28 Cataman,	do.	Harrison,	24	113
do.	1 Idiocy,	Male,	Perry,	19	114
do.	25 Mania,	Female,	Jefferson,	32	117
do.	23 do.	do.	Mason,	52	118

Date.	Disease.	Sex.	County.	Age.	No.
do.	do.	Male,	Jefferson,	45	125
1827, Jan.	27 Idiocy,	do.	Clarke,	48	130
do. March	13 Epilepsy,	do.	Fleming,	22	131
do.	" Dolore,	do.	Fayette,	35	132
do. May	10 Epilepsy,	do.	do.	29	139
do.	29 Peur peril,	Female,	Washington,	50	140
do. June	6 Apotee,	do.	Mason,	52	142
do.	13 Idiocy,	Male,	Pendleton,	26	144
do.	29 do.	do.	do.	24	147
do. July	7 do.	Female,	Fayette,	45	149
do. Oct.	6 Mania,	do.	Christian,	60	155
do. Nov.	2 Idiocy,	do.	Bracken,	10	157
do.	21 Epilepsy,	Male,	Anderson,	32	158
do.	23 Mania,	Female,	Logan,	43	159
do. Dec.	12 Adolore,	do.	M'Cracken,	38	161
1828, Feb.	15 Mania,	Male,	Natchez,	40	165
do. April	10 do.	Female,	Barren,	40	168
do.	18 Apotee,	Male,	Mercer,	28	169
do.	" Epilepsy,	do.	do.	23	170
do. May	7 Mania,	Female,	Laurel,	27	173
do. June	23 do.	Male,	Fayette,	40	179
do.	30 do.	do.	do.	30	180
do. July	20 Epilepsy,	Female,	Spencer,	31	181
do.	28 Mania,	Male,	Harrison,	35	182
do. Aug.	4 Idiocy,	Female,	Wayne,	41	183
do.	7 do.	Male,	Mercer,	12	184
do. Sept.	18 Epilepsy,	do.	Boone,	29	189
do. Oct.	2 Idiocy,	Female,	Fayette,	14	191
do.	" Mania,	Male,	Barren,	33	193
do.	29 Apotee,	do.	Fayette,	42	194
do. Nov.	7 Cat. sup.	Female,	Jessamine,	25	195
do.	21 Epilepsy,	do.	Hart,	23	196
do. Dec.	4 Mania,	Male,	Allen,	31	199
1829, Jan.	4 Apotee,	do.	Jefferson,	30	201
do. Feb.	26 do.	do.	Scott,	60	202
do.	27 Mania,	Female,	Shelby,	48	203
do.	" Apotee,	Male,	do.	60	204
do. March	11 Man. ral.	Female,	Hart,	49	205
do.	15 Mania,	do.	Logan,	40	206
do.	19 Idiocy,	Male,	Lincoln,	15	207
do. April	29 Apotee,	do.	Jefferson,	18	208
do. May	30 Mania,	Female,	Logan,	35	210
do.	" do.	do.	Bourbon,	33	211
do. July	16 do.	do.	Monroe,	34	217
do.	17 do.	do.	Fayette,	50	218
do.	25 do.	do.	Simpson,	32	220
do. Aug.	27 do.	do.	Logan,	25	223
do. Sept.	5 Epilepsy,	do.	Mercer,	14	224

Date.	Disease.	Sex.	County.	Age.	No.
Sept.	14 Grief,	Female.	Barren,	26	226
do.	20 Mania,	do.	Hopkins,	35	227
do.	21 do.	Male,	Madison,	40	228
do.	29 Apotee,	do.	Lincoln,	33	229
do. Oct.	5 do.	do.	Scott,	36	230
do.	14 Mania,	do.	Caldwell,	35	232
do.	15 do.	Female,	Mercer,	34	233
do.	16 do.	Male,	Fayette,	32	234
do.	24 do.	do.	Mercer,	40	235
do. Nov.	2 do.	do.	Jessamine,	52	236
do.	19 Hard study,	do.	Owen,	19	237
do.	" Mania,	Female,	Woodford,	20	239
do.	" do.	do.	Bourbon,	33	240

Males—48. Females—46. Total—94.

Remained in Hospital 27th Nov. 1828, per last report	85
Of whom have since died 13, cured 5, eloped 2—Total	20
Received since last report, to 31st Dec. 1829,	44—129
Of whom have died 8, cured 7,	Total 15
	35
	—
Remain 31st Dec. 1829,	94

Males 43, Females 46—94

Of whom are boarders 9, paupers 85—94.

Since the Hospital was opened in January, 1824, to 31st December, 1829,	
there have been received, patients	240
Of whom have died 56, discharged 78, eloped 12,	146
	—
Remain as above,	94

Males 152, Females 38—240.

From the county of Fayette 13, Jefferson 8, Mercer 6, Scott 4, Madison 4, Shelby 4, Wayne 4, Logan 4, Breckenridge 3, Lincoln 3, Harrison 3, Barren 3, Clarke 2, Mason 2, Jessamine 2, Hart 2, Bourbon 2, Casey 1, Nicholas 1, Franklin 1, Butler 1, Henry 1, Warren 1, Woodford 1, Grayson 1, Knox 1, Garrard 1, Perry 1, Fleming 1, Washington 1, Pendleton 1, Christian 1, Anderson 1, M'Cracken 1, Laurel 1, Spencer 1, Boone 1, Monroe 1, Simpson 1, Hopkins 1, Caldwell 1, Owen 1—Total 94.

Average number of Males received in each year since 1824,	25 1-3
do. do. Females	14 2-3
	—
	Total, 40

do. do. deaths in each year, 9 1-3

do. do. discharges 13

N. B. It may be proper to observe, that of the 21 deaths which took place the past year, 5 persons were aged from 63 to 70 years; 4 were severely afflicted with epilepsy; 4 were born fatuous, and 1 had been confined as a maniac upwards of 28 years.

(B.)

Receipt and Expenditures of the Lunatic Asylum, from 27th November 1828, to 31st December, 1829.

DEBTOR.

1828—To balance in Commonwealth's Bank, per last report,	\$606 98
1829—To State appropriation,	10,900 00
" Amount of board from pay patients,	1,113 04
	<hr/>
	\$12,620 02

CREDITOR.

By amount paid for provisions,	\$2,379 09
" Ditto do. clothing,	1,215 62
" Ditto do. fuel,	926 89
" Ditto do. furniture,	209 30
" Ditto do. repairs,	129 89
" Ditto do. salaries and hire,	1,856 20
" Ditto, for medicine, coffins, fodder, candles, &c. &c.	270 42
" Ditto, " conveying patients to Asylum,	478 00
" Ditto, " erecting new wing and wall,	5,121 96
" Balance in Chairman's hands,	32 65
	<hr/>
	\$12,620 02

Lexington, December 25, 1829.

Ordered, That the public printer forthwith print 150 copies of said report, for the use of the members of this house.

A bill from the Senate entitled, "an act for the benefit of the Sheriffs of Breckinridge and Bracken counties," was read the first time and ordered to be read a second time.

And thereupon, the rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same having been amended,

Resolved, that the said bill, as amended, do pass.

Ordered, That the clerk inform the Senate thereof and request their concurrence in said amendments.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. C. Morehead—1. A bill for the benefit of the Simpson County Seminary.

By Mr. J. Calhoun, from the committee of propositions and grievances—2. A bill to appoint additional justices of the peace and constables, to certain counties.

By Mr. Guthrie, from the committee for courts of justice—3. A bill for the benefit of the heirs of Benjamin Mason, deceased.

4. A bill for the benefit of witnesses, clerks, sheriffs and other officers.

5. A bill for the benefit of the heirs of George Stepp, deceased.

By Mr. Irwin—6. A bill to authorize the surveyor of Logan county to transcribe certain books in his office.

By Mr. Hardy, from the committee of religion—7. A bill to divorce Daniel Dulaney, from his wife, Sally Dulaney, late Sally Neville.

By Mr. Robertson—8. A bill for the benefit of the clerk of Cumberland county; and

By Mr. Rucker—9. A bill allowing further time for the commissioners of the Smithland and Waidborough roads, to make reports.

Which bills were severally received and read the first time and ordered to be read a second time.

And thereupon, the rule of the House, constitutional provision and second reading of the 1st, 2d, 3d, 4th, 5th, 6th, 8th and 9th bills having been dispensed with, the 1st, 3d, 4th, 5th, 6th, 8th and 9th bills, (the 5th having been amended at the clerk's table,) were severally ordered to be engrossed and read a third time; and the second was recommitted to the committee of propositions and grievances.

And thereupon, the rule of the House, constitutional provision and third reading of the 1st, 3d, 5th, 6th, 8th and 9th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate, and request their concurrence.

The House resumed the consideration "of the preamble and resolutions offered by Mr. Smith, in relation to Sunday mails."

The question was then taken on the motion made on yesterday, by Mr. Allen, (of Green,) to postpone the further consideration of said preamble and resolutions, until the first day of June next; which was decided in the negative.

The yeas and nays being required thereon, by Messrs. Smith and W. B. Allen, were as follows, viz:

YEAS—Messrs. W. B. Allen, Baily, Beauchamp, Elliott, Owsley, Parks, Robertson and S. Williams—8.

NAYS—Messrs. Anderson, B. Allen, Barlow, Beaseman, Beall, Boyd, Brown, Bruce, Burns, Burton, Butler, G. Calhoun, J. Calhoun, Cassidy, Chambers, Coleman, Cox, Crow, Daniel, Declary, Dougherty, Durham, Field, Fisher, Griffith, Guthrie, Harris, Harrison, Hawes, Hays, Head, Heady, Hill, Hise, Hughes, Irwin, James, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Kouns, Laughlin, Lewright, Long, Love, McBrayer, M'Daniel, Mize, C. S. Morehead, Morris, Murphy, Oglesby, Parker, Penn, Porter, Preston, Ray, Rice, Roberts, Rodes, Rucker, Shanks, Shannon, Short, Sisk, Smith, Taylor, Thomas, Tibbatts, Tomlinson, True, Venable, Walker, Wheeler, White, Wilcoxon, G. W.

Williams, W. J. Williams, E. J. Wilson, W. C. Wilson, Woolfolk, Worthington and Wright—84.

The said resolutions, were then twice read and adopted.

The question was then taken on adopting the preamble to said resolutions, which was decided in the negative.

The yeas and nays being required thereon, by Messrs. Smith and Allen, (of Green,) were as follows, viz;

YEAS—Messrs. B. Allen, Beauchamp, Boyd, Bruce, Burns, J. Calhoun, Chambers, Dougherty, Durham, Harris, Heady, Hill, Irwin, Laughlin, Morris, Oglesby, Ray, Rice, Shannon, Smith, True, Wilcoxon, G. W. Williams, W. J. Williams and Woolfolk—25.

NAYS—Messrs. Anderson, W. B. Allen, Barlow, Bailey, Beaseman, Beall, Brown, Burton Butler, G. Calhoun, Cassidy, Coleman, Combs, Cox, Crow, Daniel, Declary, Elliott, Field, Fisher, Griffith, Guthrie, Harrison, Hawes, Hays, Head, Hise, Hughes, James, Jonas, J. H. Jones, H. Jones, Kennedy, Kouns, Lewright, Long, Love, McBrayer, McDonald, Mize, C. S. Morehead, J. T. Morehead, Murphy, Owsley, Parker, Parks, Penn, Porter, Preston, Roberts, Robertson, Rodes, Rucker, Shanks, Short, Sisk, Taylor, Thomas, Tibbatts, Tomlinson, Venable, Walker, Wheeler, White, S. Williams, E. J. Wilson, W. C. Wilson, Worthington and Wright—69.

Ordered, That the clerk carry the said resolution to the Senate, and request their concurrence.

The House then resumed the consideration of an engrossed bill, entitled "an act to encourage the general diffusion of education, by the establishment of an uniform system of public schools."

Mr. Morris then moved to amend said bill by attaching thereto the following engrossed clause by way of rider, viz:

1. *Be it further enacted*, That the public school commissioners, in each district, shall apply for, and receive from the county courts, an order upon the Treasury of this Commonwealth, for the proportion to which their district may be entitled, of the monies apportioned for the use of public schools.

2. *Be it further enacted*, That there shall be annually, on the day of _____ apportioned by the Treasurer of the State, to each county, out of the literary fund of this State, a sum of money equal to the population of said county, at the time of such apportionment; which apportionment shall be paid by the Treasurer, to the order of the county court, certified by their clerk, in favor of the public school commissioners of the respective districts, on their order.

3. *Be it further enacted*. That it shall be the duty of the county court of each county, at their _____ term, to apportion the school monies to which their respective counties may be entitled, among the several districts within their county, in proportion to the

number of children residing in each, over the age of five years, and under sixteen, as the same shall have appeared from the last annual reports of the commissioners appointed to take in list of taxable property.

4. *Be it further enacted*, That the county court, before they shall grant an order upon the Treasurer, in favor of any public school commissioners, shall require them to execute a bond to the Governor of the Commonwealth of Kentucky and his successors in office, in a reasonable amount, with one or more sufficient securities, conditioned for the due and faithful execution of the duties of their office.

And the question being taken on adopting the said amendment as a ryder to the bill, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Morris and M'Donald, were as follows, viz:

YEAS—Messrs. B. Allen, W. B. Allen, Barlow, Beaseman, Bruce, Burns, Burton, J. Calhoon, Cassidy, Chambers, Coleman, Crow, Dougherty, Durham, Head, Heady, James, Kouns, M'Brayer, M'Donald, Mize, Morris, Murphy, Owsley, Parks, Penn, Porter, Preston, Ray, Rice, Rucker, Short, Sisk, Tomlinson, Wilcoxon, W. C. Wilson and Woolfolk—37.

NAYS—Messrs. Anderson, Baily, Beall, Beauchamp, Brown, Butler, G. Calhoon, Combs, Cox, Daniel, Declary, Elliott, Field, Guthrie, Harlan, Harris, Harrison, Hawes, Hays, Hill, Hise, Hughes, Irwin, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Laughlin, Lewright, Long, Love, C. S. Morehead, J. T. Morehead, Oglesby, Parker, Roberts, Robertson, Rodes, Shanks, Shannon, Smith, Taylor, Thomas, Tibbatts, True, Venable, Walker, Wheeler, White, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson, Worthington and Wright—56.

Mr. Hawes then moved to amend said bill by attaching thereto the following engrossed sections, by way of a ryder, viz:

1. *Be it further enacted*, That any widow or feme sole over 21 years of age, residing and owning property in any school district, shall have the right to vote in person or by written proxy; and any infant residing and owning property in any school district shall have the right to vote by his or her guardian.

2. *Be it further enacted*, That any person owning taxable property in more than one school district, shall have the privilege of listing it for taxation in the district in which he may actually reside; and if he does not elect so to do, he may vote in person or by written proxy in any school district where he owns taxable property and does not reside.

3. *Be it further enacted*, That the tax authorized by this act shall not exceed *ten cents* in the hundred dollars, unless two-thirds of the voters shall vote for a greater tax.

A division of the question was called for, and the question was

first put on the adoption of the first section of said amendment, which was decided in the affirmative.

The question was then put on the adoption of the second section, which was decided in the negative.

The question was then put on the adoption of the third section, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Tibbatts, were as follows, viz:

YEAS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Bailey, Beaseman, Beall, Beauchamp, Burton, Butler, G. Calhoon, J. Calhoon, Chambers, Coleman, Combs, Cox, Crow, Daniel, Declary, Dougherty, Durham, Elliott, Field, Fisher, Griffith, Guthrie, Harlan, Harris, Harrison, Hawes, Hays, Head, Heady, Hill, Irwin, James, Jonas, H. Jones Kennedy, Kouns, Lewright, Love, M'Brayer, M'Donald, Mize, C. S. Morehead, Oglesby, Owsley, Parker, Penn, Porter, Preston, Ray, Rice, Roberts, Robertson, Rodes, Rucker, Shanks, Shannon, Short, Smith, Taylor, Thomas, Tibbatts, Tomlinson, True, Venable, Walker, Wheeler, White, Wilcoxon, G. W. Williams, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk and Wright—78.

YAAS—Messrs. Boyd, Bruce, Burns, Cassidy, Hise, Hughes, Johnston, J. H. Jones, Laughlin, Morris, Murphy, Parks and Sisk—13.

The said bill having been further amended by engrossed ryder, the question was then taken on the passage thereof, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ray, and Tibbatts, were as follows:

YEAS—Messrs. Anderson, W. B. Allen, Bailey, Beauchamp, Brown, Bruce, Burns, Burton Butler, G. Calhoon, Chambers, Combs, Cox, Crow, Declary, Durham, Field, Fisher, Guthrie, Harlan, Harrison, Hawes, Hays, Head, Heady, Hise, Irwin, James, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Kouns, Laughlin, Lewright, Long, Love, McDonald, Mize, C. S. Morehead, Oglesby, Parker, Parks, Penn, Porter, Preston, Rice, Roberts, Robertson, Rodes, Shanks, Shannon, Taylor, Thomas, Tibbatts, Venable, Wheeler, White, Wilcoxon, G. W. Williams, E. J. Wilson and Worthington—63.

NAYS—Messrs. B. Allen, Barlow, Beaseman, Beall, Boyd, J. Calhoon, Cassidy, Coleman, Daniel, Dougherty, Elliott, Griffith, Harris, Hill, Hughes, McBrayer, Morris, Murphy, Owsley, Ray, Rucker, Short, Sisk, Smith, Tomlinson, True, Walker, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Wright and Yates—33.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

And then the House adjourned.

WEDNESDAY, JANUARY, 6, 1830.

Mr. Barlow from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles:

An act for the benefit of the heirs of John Head.

An act for the benefit of the sheriffs of Breckinridge, Bracken, Lawrence and Bath counties.

And an act to give the sheriff of Grant, further time to return his delinquent list.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

A message was received from the Senate, announcing the passage of a bill which originated in this House, entitled "an act to reduce the number of the Trustees of the Newcastle Seminary to five."

The passage of bills of the following titles:

An act to declare the punishment for certain misdemeanors.

An act to change a part of the State road in Morgan county.

An act for the benefit of the widow and heirs of Benjamin Mason, deceased.

An act to amend an act to incorporate certain Turnpike Road Companies, approved January 29, 1829.

Their disagreement to a bill which originated in this House, entitled "an act to repeal the law authorizing county courts of this Commonwealth, to make allowances to constables and other officers in cases of riots, routs and breaches of the peace."

And that the Senate had received official information that the Governor had, on the 31st ultimo, approved and signed an enrolled bill which originated in the Senate, entitled "an act to establish a warehouse at the mouth of Jonathan's creek, in Calloway county, and for other purposes."

1. Mr. Laughlin presented the petition of sundry citizens of Laurel county, praying an appropriation of five hundred dollars in Kentucky land warrants, for the improvement of a road in said county.

2. The Speaker laid before the House, the petition of William Greathouse, praying a change of venue on an indictment pending against him in Mason county, on a charge of felony.

3. Mr. Worthington presented the petition of Austin Seay, praying a divorce from his wife, Susan Seay.

Which petitions were severally received, the reading dispensed with, and referred:

The 1st, to the committee of propositions and grievances; the 2d, to the committee of courts of justice; and the 3d, to the committee of religion.

The Speaker laid before the House, the annual report of the Trustees of the Asylum for the tuition of the deaf and dumb, at Danville; which was received and referred to a select committee of Messrs. Rucker, Worthington, Burton and Anderson.

Mr. J. Calhoun, from the select committee to whom was referred, "a bill to appoint an additional justice of the peace and constable, in the county of Mason," reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time.

And thereupon, the rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof, be amended to read "an act allowing additional justices of the peace and constables in certain counties."

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. Love, from the committee of claims, made the following report:

The committee on claims have had under consideration, the petition of William Derrington, an aged and poor man, praying a quarter section of land in the county of Calloway, may be donated him, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Also, the petition of James Brown, praying certain monies he had paid for land located on older claims, be refunded him.

Resolved, That the said petition be rejected.

Also, the petition of William Faulconer and others, praying compensation as guard over the jail of Jessamine county.

Resolved, That said petition be rejected.

Which being twice read, was concurred in.

On motion—

Ordered, That the committee on internal improvements be discharged from the further consideration of the petitions and remonstrances relative to the navigation of Salt river.

Mr. Hardy, from the committee of religion, made the following report:

The committee of religion have according to order, had under their consideration the petition of John Cook, praying to be divorced from his wife, Betsey Cook, and have come to a resolution thereon:

Resolved, That said petition be rejected.

Which being twice read, was concurred in.

Mr. Hardy, from the select committee, to whom was referred a bill to change the time of holding the Edmonson county courts, reported the same with amendments.

Which being twice read, were concurred in; and the said

bill as amended, ordered to be engrossed and read a third time to-morrow.

Mr. Tibbatts moved the following resolution:

Whereas, it appears that the State has realized, in the course of nine years, on a capital of about a half a million of dollars, invested as stock in the Bank of the Commonwealth of Kentucky, a sum exceeding eight hundred thousand dollars, producing a profit clear of all expences, greater than the amount of the original capital; and whereas this experiment proves that the capital aforesaid has been most profitably employed for the State; and whereas it is better that the government should derive these profits than that they should be monopolized by Banking institutions composed for the most part of a body of foreign stockholders, as on the one hand large funds may be accumulated, to be appropriated by the State to the purposes of general education and internal improvements and the lessening the burdens of the people, and on the other hand, the circulating medium is abstracted away and carried off from the country, thereby bringing distress upon the people and impoverishing the government: Therefore,

Be it resolved by the House of Representatives, That it is the opinion of this House that the Bank of the Commonwealth of Kentucky ought to be maintained, and that laws should be enacted to increase its efficiency and utility, and to give additional securities to insure the safe keeping of the funds belonging thereto, and to provide for a more strict accountability of the officers engaged in the management of its concerns.

Which being twice read, was, with the bill from the Senate, entitled "an act further to regulate the Bank of the Commonwealth," committed to a committee of the whole House for this day.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Williams—1. a bill for the benefit of Wayne county.

On the motion of Mr. Butler—2. A bill to constitute the county court of Shelby a body corporate for the purpose of turnpiking the roads in said county.

On the motion of Mr. Guthrie—3. A bill to amend the several acts incorporating the Louisville Turnpike Company.

On the motion of Mr. Forrest—4. A bill to reduce the fees of the clerks of the court of appeals, general court, and circuit and county courts of this Commonwealth.

On the motion of Mr. Beall—5. A bill to amend the law in relation to the navigation of Salt river.

On the motion of Mr. Heady—6. A bill to declare Salt river a navigable stream as high up as Thos. Goodwin's mill-dam, and no further.

On the motion of Mr. Thomas—7. A bill to appropriate a

sum of money sufficient to employ a competent Engineer, to survey and mark the road from Lexington to Mountsterling, via Winchester, and through the intermediate counties to the mouth of Big Sandy, and for other purposes.

On the motion of Mr. Forrest—8. A bill for the benefit of William Bartlett.

On the motion of Mr. Crow—9. A bill to increase the literary fund.

On the motion of Mr. Love—10. A bill to authorize the transfer of certain books in the clerk's office of the court of appeals, to the Auditor's office.

On the motion of Mr. Tomlinson—11. A bill for the benefit of the charity students of Centre College.

Messrs. Williams, (of Wayne) Allen, (of Green) and Wright, were appointed a committee to prepare and bring in the first; Messrs. Butler, Shannon, Johnston, Guthrie and White, the second; Messrs. Guthrie, White, Butler and Johnston, the third; Messrs. Forrest, Irwin, Smith, Chambers and M'Donald, the fourth; Messrs. Beall, Cox, Heady and Wilcoxon, the fifth; Messrs. Heady, Shannon and Johnston the sixth; the committee on internal improvements, the seventh; Messrs. Forrest, Chambers and Smith, the eighth; Messrs. Crow, Hise, C. Morehead and Tibbatts, the ninth; the committee for courts of justice, the tenth; and Messrs. Tomlinson, Worthington, C. Morehead and Burton, the eleventh.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie, from the committee of courts of justice—1. A bill to amend the law in relation to shooting and stabbing.

By Mr. Hardy, from the committee of religion—2. A bill for the benefit of James Ferguson.

By Mr. Smith—3. A bill for the benefit of Thomas Lewis and Minerva Laswell.

By Mr. G. Calhoun—4. A bill to provide for the sale of the real estate of infants for the payment of debts and taxes.

By Mr. Williams, (of Simpson)—5. A bill for the benefit of the heirs of Micajah Shelton, deceased.

By Mr. Daniel—6. A bill to increase the revenue of the Commonwealth by a tax on tavern keepers or the retailers of spirituous liquors.

By Mr. Rucker—7. A bill to establish a State road from Bell's ferry, on the Ohio river, opposite Golconda, to intersect the State road leading from Hopkinsville to Smithland at Salem.

By Mr. Guthrie—8. A bill to amend the several acts incorporating the Louisville Turnpike Company.

By Mr. Beall—9. A bill to amend the laws in relation to the navigation of Salt river.

And by Mr. Heady—10. A bill declaring Salt river navigable.

Which bills were severally received and read the first time and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision and second reading of the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th and 10th bills having been dispensed with, the 2d and 3d were ordered to be engrossed and read a third time; the 4th, 9th and 10th were committed to the committee for courts of justice; the 5th to the committee of claims; the 6th to the committee of ways and means; and the 7th and 8th to the committee on internal improvements.

And thereupon, the rule of the house, constitutional provision and third reading of the second and third bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

The following bills were severally read a second time:

1. A bill for the benefit of John L. Elliott; and
2. A bill to establish an election precinct in the county of Fleming.

The first was committed to the committee for courts of justice; and the second being amended, was ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended by adding thereto the words "and for other purposes."

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. Chambers moved the following resolution:

Resolved, That this House hereafter do meet at nine o'clock, A. M.

And the question being taken on adopting the said resolution it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. H. Jones and Daniel, were as follows, viz:

YEAS—Messrs. Anderson, B. Allen, Barlow, Baily, Beasemen, Beall, Boyd, Brown, Burns, Butler, G. Calhoon, J. Calhoon, Cassidy, Chambers, Coleman, Combs, Cox, Crow, Daniel, Declary, Dougherty, Durham, Elliott, Fisher, Forrest, Griffith, Guthrie, Hardy, Harlan, Harris, Harrison, Hawes, Hays, Head, Heady, Hill, Hise, Hughes, Irwin, James, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Kouns, Laughlin, Lewright, Love, M'Brayer, M'Donald, Mize, Morris, Murphy, Oglesby, Owsley, Parker, Parks, Penn, Porter, Preston, Ray, Rice, Roberts, Robertson, Rodes, Rucker, Shannon, Short, Sisk, Taylor, Thomas, Tibbatts, Tomlinson, True, Venable, Walker, Wheeler, Wilcoxon, G. W.

Williams, S. Williams, W. J. Williams W. C. Wilson, Woolfolk, Wright and Yates—87.

NAYS—Messrs. Beauchamp, Long, C. S. Morehead and Smith—4.

Mr. Thomas moved the following resolution, viz:

Resolved, That the committee of ways and means be instructed to inquire into the expediency of so amending the revenue laws of this Commonwealth so as to have the revenue in future collected in specie, or its equivalent in Commonwealth's paper; and that they report by bill or otherwise.

The House then, according to the standing order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth, Mr. Smith in the chair; and after sometime spent therein, the Speaker resumed the chair, and Mr. Smith reported that the committee had, according to order, had under consideration a bill from the Senate, entitled "an act further to regulate the Bank of the Commonwealth," and had made some progress therein; but not having time to go through the same, had instructed him to ask for leave to sit again; which being granted,

The House then adjourned.

THURSDAY, JANUARY, 7, 1830.

The Speaker laid before the House, a letter from Peter Dudley, President of the Bank of Kentucky, announcing the names of the persons elected directors of that institution on the part of the stockholders, for the present year.

Which was received, read, and laid on the table.

1. Mr. Sisk presented the petition of Gabriel L. Bourland, praying compensation for conveying Mrs. Lydia Murphy, a lunatic, to the Lunatic Asylum.

2. Also, the petition of J. D. Gamblin, praying a divorce from her husband, William Gamblin.

3. Mr. Kouns presented the petition of sundry citizens of Greenup county, praying that a law may pass for the improvement of the navigation of Little Sandy river.

Which petitions were severally received, the reading dispensed with and referred:

The first, to the committee of claims; the second, to the committee of religion; and the third, to the committee of internal improvement.

Mr. Barlow, from the joint committee of enrollments, reported that the committee had examined an enrolled bill, entitled "an act to allow the Independent Banks of this Commonwealth, further time to settle their concerns."

And have found the same truly enrolled:

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

A message was received from the Senate, announcing the passage of bills which originated in this house, of the following titles:

An act for the benefit of the Shareholders in the Louisville Insurance Company.

An act for the benefit of Peggy Gillock.

An act authorizing the insertion of advertisements in the Spy and the Religious and Literary Intelligencer.

An act to establish the towns of Floydsburg, Brownsborough and Paducah, and for other purposes.

An act for the benefit of Foster's devisees.

An act for the benefit of Thomas Vaughan and others.

An act authorizing the Sheriff of Wayne county, to be qualified at the March term.

An act to change the time of holding certain circuit courts and for other purposes.

An act further to regulate the Wilderness and Turnpike road.

An act for the benefit of Abraham Smith.

With amendments to the three latter bills:

And the passage of bills of the following titles:

An act for the benefit of Mary Cale.

And an act to provide for the opening a road from Floyd Court-house, to Little Sandy Salt Works, by way of Paintsville and Sweetmans'.

Mr. Love, from the committee of claims, made the following report:

The committee of claims have had under consideration, the petition of Joel Scott, praying the Legislature to pay him a debt due him by Solomon Jenkins, one of the contractors for building the State house, and have come to the following resolution thereon:

Resolved, That the said petition be rejected,

Which being twice read, was concurred in.

A message was received from the Governor, by his Secretary, Mr. Crittenden, announcing that the Governor had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act to authorize the opening of a State road from Prince's ferry to the Tennessee line, in the direction to Dover.

On the 6th instant, an act to give the Sheriff of Grant further time to return his delinquent list.

And on this day, an act to allow the Independent Banks in this Commonwealth, further time to settle their concerns.

Ordered, That Mr. Barlow inform the Senate thereof.

Mr. Guthrie, from the committee for courts of justice, to whom was referred, a bill to amend an act entitled "an act to reduce into one, the several acts directing the course of descents," reported the same without amendment.

Ordered, That the said bill be postponed for the present.

Mr. Guthrie, from the same committee, to whom was referred, "a bill declaring Salt river navigable," reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time, to-morrow.

Mr. White, from the committee on internal improvements, to whom was referred, "a bill to amend the several acts incorporating the Louisville Turnpike Company, reported the same without amendment.

The said bill was then amended, and with the amendment ordered to be engrossed and read a third time.

And thereupon, the rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed.

Resolved, That the said bill do pass, and that the title thereof, be amended by adding thereto, the words "and for other purposes."

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. White, from the same committee, to whom was referred "a bill to establish a State road from Berry's ferry, on the Ohio river opposite Golconda, to intersect the State road leading from Hopkinsville to Smithland, at Salem, reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time.

And thereupon, the rule of the House having been dispensed with, and the same having been engrossed,

Resolved, That the said bill do pass, and that the title thereof be amended to read "an act to establish a State road from Berry's ferry on the Ohio river, to Salem, and from Madisonville to Salem."

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

On motion—

Ordered, That the committee on internal improvements be discharged from the further consideration of a resolution directing said committee to inquire into the propriety of making an appropriation for improving the navigation of the Louisa fork of Big Sandy river; and from the further consideration of a resolution directing said committee to inquire into the propriety of making an appropriation to improve the navigation of Muddy river.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Love, from the committee of claims—1. A bill for the benefit of the Louisville Hospital.

By Mr. Guthrie, from the committee for courts of justice—2.
A bill to amend civil proceedings.

By Mr. White, from the committee on internal improvements
—3. A bill to declare the Muddy fork of Little river navigable.

By Mr. Williams, (of Wayne)—4. A bill for the benefit of
Wayne and Russell counties.

By Mr. Burns—5. A bill to provide for completing the road
from Beaver creek Iron Works, in Bath county, by way of West
Liberty in Morgan county, to the town of Louisa.

Which bills were severally received and read the first time
and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision
and second reading of the first, second, fourth and fifth bills hav-
ing been dispensed with, the first was committed to the committee
of ways and means; the second and fourth were ordered to be en-
grossed and read a third time; and the fifth was committed to the
committee on internal improvements.

And thereupon, the rule of the House, constitutional provision
and third reading of the second and fourth bills having been dis-
pensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof
be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and
request their concurrence.

Mr. Smith moved the following resolution:

Resolved by the House of Representatives, That the Governor be
requested, on to-morrow morning at sun rise, to order to be fired
on the public square, a federal salute, in commemoration of the
victory at New-Orleans on the 8th of January, 1815, and of the
brave officers and troops who distinguished themselves on that day.

The question was then taken on adopting said resolution, which
was decided in the affirmative.

The yeas and nays being required thereon by Messrs. M'Don-
ald and Smith, were as follows:

YEAS—Mr. Speaker, Messrs. Anderson, B. Allen, W. B. Allen,
Barlow, Bailey, Beaseman, Beall, Boyd, Bruce, Burns, Burton,
G. Calhoun, J. Calhoun, Cassidy, Chambers, Coleman, Combs,
Cox, Crow, Daniel, Declary, Dougherty, Durham, Elliott, Field,
Fisher, Griffith, Guthrie, Hardy, Harlan, Harris, Harrison,
Hawes, Hays, Head, Heady, Hill, Hise, Irwin, Johnston, J. H.
Jones, H. Jones, Kennedy, Kouns, Laughlin, Lewright, Long,
Love, M'Brayer, M'Donald, Mize, C. S. Morehead, J. T. More-
head, Morris, Murphy, Oglesby, Owsley, Parks, Penn, Porter,
Ray, Rice, Roberts, Robertson, Rucker, Shanks, Shannon, Shor,
Sisk, Smith, Taylor, Tibbatts, Tomlinson, Venable, Wheeler, Wil-
coxon, S. Williams, W. J. Williams, E. J. Wilson, W. C. Wil-
son, Woolfolk, Worthington and Wright—84.

NAYS—Messrs. Beauchamp, Brown, Butler, Hughes, James.

Jonas, Parker, Rodes, Thomas, True, Walker, G. W. Williams and Yates—13.

Whereupon Messrs. Smith, J. Calhoun and Hardy, were appointed a committee to inform the Governor thereof.

The House then, according to the standing order of the day, resolved itself into a committee of the whole House, Mr. Beall in the chair; and after some time spent therein, the Speaker resumed the chair, and Mr. Beall reported that the committee had, according to order, had under consideration "a bill to provide for the erection of a bridge across the Kentucky river, near the mouth of Benson;" also "a bill to incorporate the Green and Barren river Navigation Company," and had gone through the same, with amendments to each.

Which being severally twice read, were concurred in.

And the said bills, as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of the former bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate, and request their concurrence.

Mr. Butler moved the following resolution:

Resolved, That the committee on ways and means be and they are hereby instructed and required to prepare and report a bill to provide for raising a competent revenue for the Commonwealth.

Which being twice read, was disagreed to.

And then the House adjourned.

FRIDAY, JANUARY 8, 1830.

1. Mr. Combs, presented the petition of sundry citizens of the town of Lexington, praying that a law may pass, appointing commissioners to lay off said town into wards, for the election of Trustees.

2. Mr. Worthington presented the memorial of John T. Fleming, preferring charges against Nelson Mays, an acting justice of the peace for Mercer county, and praying his removal from office.

Which petitions were severally received, the reading dispensed with and referred,

The 1st, to a select committee of Messrs. Combs, Wilson, and True; and the 2d, to a select committee of Messrs. Anderson, G. W. Williams, G. Johnston, Hawes and Rodes, with power to send for persons, papers and records.

The amendments proposed by the select committee to "a bill

requiring Salt Works to be enclosed," were concurred in; and the said bill as amended, was ordered to be engrossed and read a third time.

And thereupon, the rule of the House, and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate, and request their concurrence.

A message was received from the Senate, announcing the passage of a bill which originated in this House, of the following title:

An act to legalize the proceedings of the circuit and county courts of Hancock county.

And the passage of bills of the following titles:

An act for the benefit of John Radford's heirs.

An act to regulate the fees of the clerk of the Court of Appeals and other clerks.

An act allowing additional constables to Washington and Owen counties.

An act to declare the Bayou de Chem, Obion and Mayfield's creeks navigable streams.

And that the Senate had received official information that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles:

An act for the benefit of the heirs of John Head.

An act for the benefit of the Sheriffs of Breckinridge, Bracken, Lawrence and Bath counties.

The amendments proposed by the Senate, to bills which originated in this house of the following titles, were twice read and concurred in, viz:

An act to change the time of holding courts in certain counties, and for other purposes.

An act to change the place of voting in an election precinct in Hardin county, from John Buckles' to Stephen Southern's, and for other purposes.

An act to allow additional justices of the peace and constables to certain counties.

An act to organize a fire company in the town of Russellville.

An act for the benefit of Mary Pedigo.

An act to amend the laws defining the powers of the Trustees of the town of Newport.

An act to reduce the number of Trustees of the Newcastle Seminary to five.

An act further to regulate the wilderness and Turnpike road.

And an act for the benefit of Abraham Smith.

Ordered, That the clerk inform the Senate thereof.

The amendments proposed by the Senate to a bill which originated in this House, entitled "an act to change the time of holding certain circuit courts, and for other purposes," were twice read and committed to the committee for courts of justice.

The following engrossed bills were severally read a third time, and engrossed clauses added to the first and sixth by way of rider.

1. An act to amend an act entitled, "an act to incorporate the Lexington and Frankfort Turnpike or Rail Road Company."

2. An act for the benefit of the heirs of Stephen Thompson Mason, deceased.

3. An act to amend and regulate the action of replevin.

4. An act to incorporate a company to erect a bridge across Licking river, between Newport and Covington.

5. A bill from the Senate entitled "an act to amend the laws in relation to crimes committed on the Ohio, Mississippi, and Big Sandy rivers."

6. An act for appropriating 5000 acres of vacant and unappropriated land, for the improvement of the public roads in Russell county.

Ordered, That the first be committed to a committee of the whole house for Tuesday the 12th instant, and the 5th, to the committee for courts of justice.

Resolved, That the second, third, fourth and sixth bills do pass; that the titles of the 2d, 3d and 4th be as aforesaid; and that of the 6th, be amended to read "an act for appropriating 5000 acres of vacant and unappropriated land, for the improvement of the public roads in Russell, Monroe, Allen and Cumberland counties."

The yeas and nays being required on the passage of the fourth bill, by Messrs. Coleman and Tibbatts, were as follows:

YEAS—Messrs. Anderson, Beall, Beauchamp, Brown, Burton, Butler, G. Calhoon, J. Calhoon, Chambers, Combs, Cox, Crow, Daniel, Declary, Durham, Elliott, Fisher, Griffith, Guthrie, Harlan, Harris, Harrison, Hays, Head, Heady, Hise, Hughes, Jonas, Johnston, H. Jones, Kouns, Lewright, Love, M'Brayer, M'Donald, Mize, J. T. Morehead, Murphy, Oglesby, Parker, Penn, Porter, Ray, Rice, Roberts, Robertson, Rodes, Rucker, Shanks, Shannon, Short, Sisk, Taylor, Thomas, Tibbatts, Venable, Walker, White, S. Williams, W. J. Williams, E. J. Wilson, Woolfolk and Wright—63.

NAYS—Messrs. B. Allen, W. B. Allen, Barlow, Baily, Beaseman, Bruce, Burns, Cassidy, Coleman, Dougherty, Field, Hardy, Hawes, Hill, Irwin, J. H. Jones, Kennedy, Long, Morris, Owsley, Parks, Smith, True, Wheeler, Wilcoxon, G. W. Williams, W. C. Wilson, Worthington and Yates—29.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

An engrossed bill entitled "an act to make an appropriation to

build a bridge across Salt river at the town of Taylorsville," was read a third time.

And the question being taken on the passage thereof, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Daniel and Parks, were as follows:

YEAS—Messrs. Beall, Beauchamp, Butler, G. Calhoun, J. Calhoun, Cox, Crow, Declary, Field, Guthrie, Harrison, Hawes, Head, Heady, Hise, Jonas, Johnston, Kouns, Love, M'Brayer, M'Donald, C. S. Morehead, J. T. Morehead, Oglesby, Parker, Porter, Roberts, Rucker, Shanks, Shannon, Short, Smith, Thomas, Tibbatts, Venable, Wheeler, White, Wilcoxon and G. W. Williams—39.

NAYS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Bailly, Beaseman, Brown, Bruce, Burns, Burton, Cassidy, Coleman, Daniel, Dougherty, Durham, Elliott, Hardy, Harlan, Harris, Hays, Hill, Hughes, Irwin, J. H. Jones, H. Jones, Kennedy, Lewright, Long, Mize, Morris, Murphy, Owsley, Parks, Penn, Ray, Rice, Robertson, Rodes, Sisk, Taylor, True, Walker, S. Williams, W. J. Williams, E. J. Wilson, W. C. Wilson, Woolfolk, Worthington, Wright and Yates—50.

An engrossed bill entitled "an act to authorize the people of Oldham county, to select by vote, a scite for their seat of justice," was read a third time.

And then the House adjourned.

SATURDAY, JANUARY 9, 1830.

A message was received from the Senate announcing the passage of bills which originated in this House, of the following titles:

An act to amend an act requiring certain duties of the clerks within this Commonwealth.

An act to establish an election precinct in the county of Fleming, and for other purposes; with amendments to each; and requesting leave to withdraw their report of the passage of a bill which originated in this House, entitled, an act for the benefit of the Shareholders in the Louisville Insurance Company.

Ordered, That leave be given to withdraw said report.

On motion of Mr. Hughes—

Ordered, That the vote by which an engrossed bill, entitled, an act to make an appropriation to build a bridge across Salt river at the town of Taylorsville, was rejected on yesterday, be reconsidered, and that said bill be placed in the orders of the day.

Ordered, That the first and second reading of a bill from the Senate, entitled "an act to amend an act to incorporate certain turnpike road companies," approved January 29, 1829, and of a

bill from the Senate, entitled "an act for the benefit of the settlers west of the Tennessee river," be dispensed with, that the former bill be committed to the committee on internal improvements, and the latter to the committee of ways and means.

The following bills were severally read the second time, viz:

A bill curtailing the jurisdiction of the general court; and

A bill to incorporate the trustees of the Male and Female Orphan Asylum at Middletown, and committed; the former to the committee of courts of justice; and the latter to the committee on education.

The Speaker laid before the House the protest of sundry Stockholders in the Louisville Insurance Company, against the passage of a law giving the Stockholders in said company, power to dissolve that institution.

The House took up for consideration the preamble and resolution laid on the table on the 29th ultimo, by Mr. Fisher, relative to the charge for wharfage by the corporations on the Mississippi river, on steam and other vessels, navigating said river.

Which being twice read, was adopted.

Ordered, That the clerk carry the said preamble and resolution to the Senate and request their concurrence.

An engrossed bill entitled an act to authorize the people of Oldham county, to select by vote, a scite for their seat of justice, was read a third time.

And the question being taken on the passage thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. B. Allen and Oglesby, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Barlow, Bailey, Beaseman, Beall, Boyd, Bruce, Burton J. Calhoon, Cassidy, Chambers, Coleman, Cox, Daniel, Declary, Dougherty, Durham, Field, Fisher, Guthrie, Hardy, Harrison, Hawes, Hays, Head, Heady, Hill, Irwin, James, Jonas, J. H. Jones, H. Jones, Kennedy, Laughlin, Lewright, McBrayer, McDonald, Mize, C. S. Morehead, J. T. Morehead, Morris, Oglesby, Parks, Penn, Porter, Preston, Ray, Roberts, Robertson, Rucker, Shanks, Short, Sisk, Smith, Taylor, Thomas, Tibbatts, Tomlinson, Venable, Walker, Wheeler, White, Wilcoxon, G. W. Williams, S. Williams, E. J. Wilson, W. C. Wilson, Woolfolk and Wright—69.

NAYS—Messrs. Anderson, B. Allen, W. B. Allen, Beauchamp, Burns, Butler, G. Calhoon, Crow, Elliott, Griffith, Harlan, Harris, Hughes, Johnston, Kouns, Love, Murphy, Owsley, Parker, Rice, Rodes, Shannon, True, W. J. Williams, Worthington and Yates—26.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

The amendments proposed by the Senate, to a bill which originated in this House, entitled an act to amend an act requiring

certain duties of the clerks within this Commonwealth, were twice read and concurred in.

Ordered, That the clerk inform the Senate thereof.

The amendments proposed by the Senate to a bill which originated in this House, entitled an act to establish an election precinct in the county of Fleming, and for other purposes, were twice read and committed to a select committee of Messrs. James, Hardy, Roberts, W. C. Wilson, Burns and Rucker.

The following engrossed bills were severally read a third time, and engrossed clauses added to the first and eighth by way of rider, viz:

1. An act for the benefit of Francis Maraman.
2. An act to appropriate some of the vacant lands in this Commonwealth to the use of the Mountsterling Seminary.
3. An act to allow additional justices of the peace to Bullitt county.
4. An act to amend the laws in relation to trustees of towns.
5. An act for the benefit of the public schools in the city of Louisville.
6. An act to appropriate some of the vacant lands in Casey, Wayne and Russell counties, to the improvement of the roads in said counties.
7. An act for the benefit of witnesses, clerks, sheriffs and other officers.
8. An act to change the time of holding the Edmondson county courts.

The first was recommitted to the committee for courts of justice.

Resolved, That the 2d, 3d, 4th, 5th, 6th, 7th and 8th bills do pass; that the titles of the 2d, 3d, 5th, and 7th, be as aforesaid; that the title of the 4th be amended to read, an act to amend the laws in relation to the trustees of towns, and for other purposes; that of the 6th be amended to read, an act to appropriate some of the vacant lands in Casey, Wayne and Russell counties to the improvement of the roads in said counties; that of the 8th, to be amended to read, an act to change the time of holding the Edmondson and Barren county courts, and for other purposes.

The yeas and nays being required on the passage of the second bill, by Messrs. Beaseman and Thomas, were as follows, viz:

YEAS—Messrs. Bailey, Beall, Beauchamp, Boyd, Burns, Butler, J. Calhoun, Cox, Declary, Field, Guthrie, Hardy, Harlan, Harrison, Hawes, Hays, Head, Heady, Jonas, Johnston, H. Jones, Kennedy, Love, McBrayer, Mize, C. S. Morehead, J. T. Morehead, Murphy, Oglesby, Parker, Porter, Preston, Ray, Rice, Roberts, Robertson, Rodes, Shanks, Shannon, Short, Taylor, Thomas, Tibbatts, True, Venable, Wheeler, White, G. W. Williams, S. Williams and E. J. Wilson—50.

NAYS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow,

Beaseman, Burton, G. Calhoon, Cassidy, Chambers, Coleman, Crow, Daniel, Dougherty, Durham, Elliott, Fisher, Griffith, Harris, Hill, Hise, Hughes, Irwin, J. H. Jones, Kouns, Laughlin, Lewright, M'Donald, Morris, Owsley, Parks, Rucker, Sisk, Smith, Tomlinson, Walker, Wilcoxon, W. J. Williams, W. C. Wilson, Woolfolk, Worthington Wright and Yates—42.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

An engrossed bill, entitled an act to incorporate the Green and Barren river Navigation Company, was read a third time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill, by Messrs. B. Allen and Daniel, were as follows:

YEAS—Messrs. W. B. Allen, Beauchamp, Butler, G. Calhoon, J. Calhoon, Declary, Durham, Field, Griffith, Guthrie, Hardy, Harlan, Harrison, Hawes, Hays, Heady, Hise, Irwin, James, Jonas, Kennedy, Lewright, Love, C. S. Morehead, J. T. Morehead, Oglesby, Parker, Porter, Preston, Ray, Roberts, Rucker, Shanks, Short, Taylor, Thomas, Tibbatts, Tomlinson, Venable, Walker, Wheeler, White, G. W. Williams, W. J. Williams and E. J. Wilson—45.

NAYS—Messrs. Anderson, B. Allen, Barlow, Baily, Beaseman, Beall, Boyd, Burns, Burton, Cassidy, Coleman, Cox, Daniel, Dougherty, Elliott, Fisher, Harris, Head, Hill, Hughes, J. H. Jones, H. Jones, Kouns, Laughlin, M'Brayer, M'Donald, Mize, Morris, Murphy, Owsley, Parks, Rice, Robertson, Rodes, Sisk, Smith, True, Wilcoxon, S. Williams, W. C. Wilson, Woolfolk, Wright and Yates—43.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

The following bills were severally read a second time:

1. A bill to increase the liability of principals to their securities.
2. A bill to amend the election laws of this State.
3. A bill for the benefit of Charles H. Webb.
4. A bill to compel the sheriffs of this Commonwealth to pay the amount of venire claims to the holders thereof.
5. A bill for the benefit of Jane Wright Latty and Nancy Davis Latty.
6. A bill more effectually to secure shipwrights and others in their claims on steamboats or other vessels navigating the western waters.
7. A bill to enlarge the powers of the county courts as to constables' districts within their counties.
8. A bill for the benefit of John Ferguson of Muhlenberg county.
9. A bill requiring public warehouse keepers to execute bond

with approved security, to the county court of their respective counties of the Commonwealth for all property stored with them, and for other purposes.

10. A bill for the benefit of Nicholas Hocker and Charles Wallace.

11. A bill to amend the act extending the limits of the town of Versailles.

12. A bill to amend the act, entitled, an act to review a part of the State road from Franklin to Owenborough, approved January 7, 1829.

The first, third, fourth, fifth, seventh, eighth, tenth, eleventh and twelfth, were severally ordered to be engrossed and read a third time; the second, sixth and ninth, were committed to the committee of courts of justice.

And thereupon the rule of the House, constitutional provision and third reading of the third, fifth, seventh, eighth, eleventh and twelfth bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate, and request their concurrence.

A bill from the Senate, entitled, an act to authorize the insertion of advertisements in the Winchester Republican, printed in Winchester, was read the first time and ordered to be read a second time.

And thereupon, the rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof.

On the motion of Mr. Tibbatts—

Ordered, That leave be given to bring in a bill supplemental to an act entitled “an act to provide for the general diffusion of education in this Commonwealth, by the establishment of an uniform system of public schools,” and that Messrs. Tibbatts, C. S. Morehead, Jonas, Fisher, Tomlinson, Crow and Hise, prepare and bring in the same.

Mr. Guthrie, from the select committee to whom was referred the amendments proposed by the Senate, to a bill which originated in this house, entitled “an act to alter the time of holding certain circuit courts, and for other purposes,” reported the same with amendments; which being twice read, were concurred in.

The amendments of the Senate as amended, were then concurred in.

Ordered, That the clerk inform the Senate thereof.

And then the House adjourned.

MONDAY, JANUARY 11, 1830.

1. Mr. Hill presented the petition of Nicholas Jasper, praying that a law may pass authorizing him to peddle any where in this State, without obtaining a licence therefor.

2. Mr. Rucker presented the petition of Messrs. Lyon, Cobb, and Co. praying that a law may pass to change the place of inspecting tobacco in the town of Eddyville.

3. Mr. Beall presented the remonstrance of sundry citizens of Nelson county, remonstrating against the passage of any law authorizing the retailing of spirituous liquors within this Commonwealth.

Which petitions were severally received, the reading dispensed with, and referred; the 1st, to the committee of propositions and grievances; the 2d, to a select committee of Messrs. Rucker, Hughes and Boyd; and the 3d, to the committee of ways and means.

A message was received from the Senate, announcing the passage of bills which originated in this house, of the following titles:

An act for the benefit of the clerk of Cumberland county court.

An act for the benefit of the Trustees of the Simpson county Seminary.

An act to organize two fire companies in the town of Lexington, and for other purposes.

An act allowing further time for the commissioners of the Smithland and Waidborough roads to make their reports.

And the passage of bills of the following titles:

An act for the benefit of Thomas T. G. Waring.

An act concerning the General Court.

An act to repeal all laws allowing corporations or bodies politic to issue licences for the sale of Lottery Tickets, and for other purposes.

Mr. Barlow, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act authorizing the Sheriff of Wayne county to be qualified at the March Term.

An act for the benefit of Peggy Gillock.

An act to allow additional justices of the peace and constables to certain counties.

An act for the benefit of Mary Pedigo.

An act to organize a fire company in the town of Russelville and for other purposes.

An act to change the time of holding courts in certain counties and for other purposes.

An act for the benefit of Thomas Vaughan and others.

An act for the benefit of Foster's devisees.

An act authorizing the insertion of advertisements in the Spy and Religious and Literary Intelligencer.

An act for the benefit of Abiah Smith.

An act to legalize the proceedings of the circuit and county courts of Hancock county.

An act to reduce the number of Trustees of the Newcastle Seminary to five.

An act further to regulate the Wilderness and Turnpike road.

An act to change the place of voting in an election precinct in Hardin county, from John Buckles' to Stephen Southern's, and for other purposes.

An act to establish the town of Floydsburg, Brownsborough and Paducah, and for other purposes.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

The following bills were severally read a second time.

1. A bill for the benefit of the Cumberland Hospital.
2. A bill allowing a representative to the city of Louisville.
3. A bill for the benefit of John Robinson and others.
4. A bill for the benefit of Solomon Jenkins.
5. A bill to permit the citizens of Hickman county to locate their seat of justice by vote.
6. A bill to enable the infant heirs of John Bruce, sen. deceased, to convey certain lands.

7. A bill for the purpose of opening a road from Bells, in Barren county, to the cross roads near the Simpson and Allen county lines.

8. A bill to declare Big Caney a navigable stream, and for other purposes.

9. A bill to declare the muddy fork of Little river, navigable.

The 1st, was committed to the committee of ways and means; the 2d, 3d, 5th, 6th, 7th and 8th, (the 7th and 8th being amended at the clerk's table,) were severally ordered to be engrossed and read a third time; the 4th, was committed to the committee of claims; and the 9th, was postponed until the 1st day of June next.

And thereupon the rule of the House, constitutional provision and third reading of the 7th and 8th bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass; that the title of the former be "an act for the purpose of opening a road from Bells in Barren county, to the cross roads near the Simpson county and Tennessee State lines;" and that of the latter be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

On motion—

Ordered, That the public printers forthwith print 150 copies of a bill to amend the act, entitled "an act to reduce into one the several acts directing the course of descents."

The following bills from the Senate, were severally read the first time, (and with the exception of the 31st, which was postponed until the first of June next,) ordered to be read a second time.

1. An act for the benefit of Thales Huston.
2. An act for the benefit of Anner Taylor.
3. An act to allow an additional justice of the peace and constable to Garrard county.
4. An act to amend the law concerning slaves, and for other purposes.
5. An act altering the time of holding the Washington circuit court.
6. An act to authorize the county court of Owen county, to sell and convey the lot of ground on which the old jail stands.
7. An act for the benefit of Azra Offutt.
8. An act to regulate attachments in civil cases.
9. An act to incorporate the Trustees of the Union Meeting House in Warren county.
10. An act for the benefit of Russellville Lodge, No. 17.
11. An act to amend an act appointing commissioners to lay off and mark a State road from Harrodsburg to Smithland, in Livingston county, approved February 9, 1828.
12. An act to change the name and to authorize the election of Trustees to the town of Connersville in Boone county.
13. An act for the benefit of the widow and heirs of Elias Cox, deceased.
14. An act to prohibit the confinement of slaves purchased by negro traders in the jails of this Commonwealth, and for other purposes.
15. An act for the benefit of John Cottrel and others.
16. An act repealing all laws allowing licences to billiard table keepers, and for other purposes.
17. An act to incorporate the Trustees of the Union Meeting House in Logan county, and the Union Meeting House in Russellville.
18. An act to legalize the proceedings of the court of assessment, in the third regiment of Kentucky Militia.
19. An act for the benefit of Robert C. Harrison and others.
20. An act for the benefit of Phebe Barnes and children.
21. An act for the benefit of Henry Waddle.
22. An act for the benefit of the heirs of George Walters, deceased.
23. An act concerning the public highways in the county of Fayette, and for other purposes.
24. An act for the benefit of Samuel Campbell, late Sheriff of Caldwell county.
25. An act to add a part of Ohio to Daviess county.

26. An act for the benefit of the widow and heirs of Benjamin Mason, deceased.

27. An act to change a part of the State road in Morgan county.

28. An act to declare the punishment for certain misdemeanors.

29. An act for the benefit of Mary Cale.

30. An act to provide for opening a road from Floyd Court-house, to Little Sandy Salt Works, by way of Paintsville and Sweetmans.

31. An act for the benefit of John Radford's heirs.

32. An act to regulate the fees of the clerk of the court of appeals and other clerks.

33. An act to declare the Bayou de Chein, Obion and Mayfield's creeks, navigable streams.

34. An act allowing additional constables to Washington and Owen counties.

35. An act to repeal all laws allowing corporations or bodies politic to issue licences for the sale of Lottery Tickets, and for other purposes.

36. An act for the benefit of Thomas T. G. Waring.

37. An act concerning the General Court.

And thereupon, the rule of the House, constitutional provision and second reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 15th, 16th, 17th, 18th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 32d, 33d, 34th, 35th, 36th and 37th bills having been dispensed with; the 1st, was committed to the committee of claims; the 2d, 3d, 6th, 9th, 15th, 17th, 18th, 20th, 21st, 22d, 26th, 27th, 29th, 33d and 34th, were ordered to be read a third time; the 4th, 7th, 8th, 16th, 24th, 28th, 32d, 35th, 36th and 37th were committed to the committee for courts of justice; the 5th, to a select committee of Messrs. Forrest, McDonald, Wilcoxon and Burns; the 10th, to a select committee of Messrs. Irwin, Hise, J. T. Morehead and J. Calhoun; the 11th, 23d and 30th, to the committee on internal improvements; the 12th, to a select committee of Messrs. Fisher, Tibbatts and Jonas; and the 35th, to a select committee of Messrs. Griffith, Crow and Hise.

And thereupon, the rule of the House, constitutional provision and third reading of the 2d, 3d, 6th, 9th, 15th, 17th, 18th, 20th, 21st, 22d, 26th, 27th, 29th, 33d and 34th bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof.

A resolution from the Senate for appointing joint committees to examine the public officers, was twice read and concurred in; whereupon Messrs. Hawes, Thomas, Parker, Daniel, Hise and Love, were appointed a committee on the part of this house to examine the Auditor's office; Messrs. White, Anderson, G. Calhoun, James, Venable and Johnston, the Treasurer's office; and

Messrs. Jonas, Walker, Lewright, Smith, Taylor and True, the Register's office.

Ordered, That the clerk inform the Senate thereof.

A resolution from the Senate, fixing on a day for the election of public officers, was taken up, amended by striking out the "6th instant" and inserting in lieu thereof, the "22d instant," and concurred in.

Ordered, That the clerk inform the Senate thereof and request their concurrence in said amendment.

On the motion of Mr. Love—

Ordered, That the vote by which a bill from the Senate, entitled "an act for the benefit of Jesse Corum" was rejected, be reconsidered. The said bill was then ordered to be read a second time.

And thereupon, the rule of the House and constitutional provision having been dispensed with, the said bill was committed to the committee for courts of justice.

Mr. Dougherty read and laid on the table, the following joint resolution:

Resolved by the Senate and House of Representatives, That when they adjourn on the day of this instant, they will adjourn without day.

On motion of Mr. Butler—

Ordered, That leave be given to bring in a bill to authorize the insertion of advertisements in a newspaper entitled the Public Leger, and that Messrs. Butler, Tibbatts and J. T. Morehead prepare and bring in the same.

Mr. Roberts, from the select committee appointed for that purpose, reported a bill to provide for digesting the militia laws; which was received and read the first time and ordered to be read a second time.

And the rule of the House, constitutional provision and second reading of said bill having been dispensed with, the same was referred to the committee on Military affairs.

And then the House adjourned.

TUESDAY, JANUARY, 12, 1830.

Mr. J. H. Jones presented the petition of the widow and heirs of Daniel McIntyre, deceased, some of whom are infants, praying that a law may pass to authorize a sale of two tracts of land which descended to them from said Daniel McIntyre.

Mr. McDonald presented the petition of Edward Lee, representing that in the year 1777, by the judgment of the court of commissioners, he became entitled to a settlement and pre-emption of 1400 acres of land, but on account of his own ignorance and the unfortunate death of his agent, employed to secure and carry

the same into grant, he has lost the benefit of said adjudication by the court of commissioners, and praying that a law may pass to grant him lands west of the Tennessee river, in lieu of the claim so lost.

Which petitions were received, read and referred; the first, to the committee for courts of justice; and the second, to a select committee of Messrs. McDonald, Forrest and Head.

The Speaker laid before the House, the fifth annual report of the President and Directors of the Louisville and Portland Canal Company, which was received and laid on the table.

Mr. Guthrie, from the committee for courts of justice to whom was referred "a bill to amend the election laws of this State," reported the same without amendment. The said bill was then ordered to be engrossed and read a third time.

Mr. Guthrie, from the same committee, to whom was referred an engrossed bill entitled, "an act for the benefit of Francis Mar-aman," reported the same without amendment.

Resolved, That the said bill do pass, and that the title thereof be amended by adding thereto, the words "and others."

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. Barlow from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act to amend an act requiring certain duties of the clerks within this Commonwealth.

And an act to amend the laws defining the powers of the Trustees of the town of Newport.

Whereupon the Speaker affixed his signature thereto.

A message from the Senate by Mr. Pollard.

Mr. Speaker—The Senate concur in the amendments proposed by this House, upon concurring in those proposed by the Senate, to a bill which originated in this House, entitled "an act to alter the time of holding certain circuit courts, and for other purposes." They have passed a bill which originated in this House, entitled "an act for the benefit of the heirs of Benjamin Mason, deceased," with amendments.

And they have passed bills of the following titles:

An act to organize a fire company in the town of Augusta.

And an act to amend the laws in relation to opening and repairing the public roads in certain counties.

On motion—

Leave was given the following gentlemen to record their votes on the passage of the bill to incorporate the Green and Barren river navigation company, viz:

Mr. Speaker, and Messrs. Brown, Chambers, Combs, Crow, Johnston, Penn and Shannon, who each voted in the affirmative.

Mr. White, from the committee on internal improvements, to

whom was referred, "a bill to establish a State road from the Iron Banks on the Mississippi river, to the Tennessee river in the direction to Hopkinsville," reported the same without amendment.

The said bill was then postponed for the present.

Mr. White, from the same committee, to whom was referred "a bill for improving the road from Mountsterling, by way of Irvine and Manchester, to intersect the wilderness State road," reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time to-morrow.

Mr. White, from the same committee, to whom was referred, a bill from the Senate, entitled "an act to amend an act to incorporate certain Turnpike Road Companies, approved January 29th, 1829," reported the same without amendment.

The said bill was then ordered to be read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. J. Calhoun, from the committee of propositions and grievances—1. A bill to permit Nicholas Jasper to peddle in this State without a licence.

By Mr. Guthrie, from the committee for courts of justice—2. A bill requiring the clerk of the Court of Appeals to deliver over certain records to the Register of the Land Office.

3. A bill to amend the law in relation to constables.

4. A bill to amend the Charter of the city of Louisville.

5. A bill for the benefit of Mechanics.

By Mr. White, from the committee on internal improvements—6. A bill to provide for appropriating a portion of land to the counties west of the Tennessee river, to the erection of bridges.

7. A bill to establish a State road from Hopkinsville to Waidsboro' in Calloway county.

8. A bill to provide for surveying and improving the road from the mouth of Big Sandy, to Lexington.

9. A bill to provide for improving the navigation of Little Sandy river.

By Mr. C. Morehead, from the committee on education—10. A bill for the benefit of the Christian Academy.

Which bills were severally received and read the first time, (and with the exception of the seventh, which was rejected,) ordered to be read a second time.

And thereupon the rule of the House, constitutional provision and second reading of the 2d, 4th, 6th, 8th and 10th bills having been dispensed with, the 2d, 4th and 6th, were severally ordered

to be engrossed and read a third time; the 8th, was committed to a select committee of Messrs. Hawes, Thomas, Kouns, Bruce, Burns, Parks, Wheeler, Jones, Kennedy, Cassidy and Rice; and the 10th, to the committee of ways and means.

And thereupon, the rule of the house, constitutional provision and third reading of the second and fourth bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate, and request their concurrence.

Mr. Declary, from the select committee to whom was referred a bill to amend an act entitled "an act to incorporate the Ohio Bridge company," reported the same with an amendment.

Which being twice read, was concurred in.

The question was then taken on engrossing the said bill as amended and reading it a third time; which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. B. Allen and Declary, were as follows:

YEAS—Mr. Speaker, Messrs. W. B. Allen, Bailey, Beall, Beauchamp, Brown, Burns, Burton, Butler, G. Calhoun, J. Calhoun, Chambers, Combs, Cox, Crow, Declary, Dougherty, Durham, Elliott, Field, Fisher, Forrest, Guthrie, Hardy, Harlan, Head, Hise, Hughes, Irwin, James, Jonas, Johnston, Kouns, Laughlin, Lewright, Love, C. S. Morehead, J. T. Morehead, Oglesby, Parker, Penn, Porter, Rice, Roberts, Rodes, Shanks, Shannon, Short, Taylor, Thomas, Tibbatts, Tomlinson, Venable, White, Wilcoxon, G. W. Williams, W. J. Williams, E. J. Wilson and Woolfolk—59.

NAYS—Messrs. B. Allen, Barlow, Beaseman, Boyd, Bruce, Cassidy, Coleman, Daniel, Harris, Harrison, Hawes, Hays, Hill, J. H. Jones, H. Jones, Kennedy, Long, McBrayer, Mize, Morris, Murphy, Owsley, Parks, Ray, Rucker, Sisk, Smith, True, Walker, Wheeler, S. Williams, W. C. Wilson, Worthington, Wright, and Yates—35.

Mr. Rucker, from the select committee to whom was referred the report of the Trustees of the asylum, for the tuition of the deaf and dumb, made the following report:

The select committee to whom was referred the report of the Trustees of the asylum for the deaf and dumb, at Danville, have had the same under consideration, and respectfully ask leave to make the following report, to-wit:

We have examined the several items in said report and find that there is about fourteen indigent pupils in said asylum; that the sum of 75 dollars has been paid for the board of each pupil, four hundred dollars as a salary to Mr. Kerr, the superintendent of the asylum, and six hundred and sixty, as a salary to Mr. Ja-

cobs, as a Teacher, including his board. Your committee are of the opinion that inasmuch as the currency has appreciated nearly one half compared with what it was when the price of 75 dollars was fixed on, and the said superintendant having allowed him a splendid and commodious house, garden and other conveniences, free of rent, that he ought not to be allowed more than 50 or \$60 for the board of each indigent pupil, and that his salary ought not to be more than three hundred dollars per annum. To pay Mr. Kerr, \$400, and Mr. Jacobs 660, making the sum of \$1060, your committee think an unreasonable amount for the tuition of so small a number of pupils: Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the following sums shall hereafter be allowed to the superintendant: His salary \$300; for boarding each indigent pupil, \$60; to the teacher 560, including his board per annum; and the Trustees shall settle the same as heretofore, any law, usage or custom notwithstanding.

To the honorable, the General Assembly of the Commonwealth of Kentucky.

The trustees of the Asylum for the Deaf and Dumb, respectfully report: That during the past year the pupils of the Institution have enjoyed good health, and, under a faithful discharge of duty by the Superintendent, Matron and Teachers, have made satisfactory progress in the acquisition of useful knowledge.

The accompanying list of Pupils will exhibit the number received during the year, the number discharged and the number now under instruction, with the dates of reception and discharge, with their ages, &c.

From the statement of our Secretary herewith, (who also performs the duty of Auditor,) it will be seen that since our last report, no further sums have been received from the sales of our Florida lands, although we are advised by our agent there, (Col. Richard C. Allin,) that he has on hand \$1,000, awaiting an opportunity for transmission, and he has in all probability, collected by this time further sums.

It will be recollected, that by the terms of our grant from Congress, we are bound to sell those lands within five years from the date of the law, which period will expire on the 6th April, 1831. We are assured by our agent, that owing to the depressed prices of the produce of the south, and consequent scarcity of money, the interests of the Institution will suffer, if sales are forced within that period.

A petition to Congress for an extension of time, will be presented at its present session, which we hope will be successful.

The trustees are gratified by the attention paid to this Institution by the General Assembly, in sending a committee of their body to examine into its progress, management and utility, which

we hope may be repeated as often as may be found convenient; and as that committee will, no doubt, report the result of their observations, both as to the progress of the pupils and their comfortable condition, it will supercede the necessity of a more detailed one from this board.

When our funds shall have been increased from the sale of our lands, we will be enabled to reduce the price of tuition and to obtain by purchase, some land conveniently situated, upon which male pupils can be employed a portion of their time, in labor, not only for purposes of health, but for the procurement of necessaries for themselves and the acquisition of habits of industry.

All which is respectfully submitted, by order of the board.

D. G. COWAN, }
J. BARBOUR, } *Committee.*

Pupils in the Asylum on the 3rd of November, 1829.

Names.	A.	Where from.	When entered	Remarks.
Kitty Ann Pyle	20	Adair Co.	2 July 1825	I. at 1st 6 m
Deborah Philips	17	Madison	7 Aug. 1826	Indigent.
Mary Ann Brown	14	Breckenridge	22 Nov. 1826	Indigent.
George W. Ross	16	Ohio	9 Jan. 1827	Indigent.
Levi Elliott	17	Madison	24 Jan. 1827	Indigent.
Rebecca Wiley	22	Bourbon	5 May 1827	Indigent.
Littleb'y Bailey	16	Franklin	7 May 1827	Indigent.
Thomas Keennon	27	Mississippi	3 May 1827	Pays charges
Charles H. Bliss	23	Ohio	5 July 1827	Pays charges
Riley Walker	22	Estill	13 Sept. 1828	Indigent.
Emily Grissom	21	Adair	24 April 1829	Indigent.
Francis Barlow	9	Washington	25 April 1829	Indigent.
John F. Brown	18	Missouri	18 May 1829	Pays charges
Andrew D. Holt	11	Bourbon	29 May 1829	Pays charges
David Arnett	25	Bath	3 Aug. 1829	Indigent.
Silas Ford	17	Madison	25 Sept. 1829	Indigent.
Lucinda Philips	12	Madison	7 Aug. 1829	Indigent.
Wm. P. Moore	16	Tennessee	2 Oct. 1829	Pays charges
Betsy B. Lockett	12	Shelby	2 Nov. 1828	Pays charges
Andrew J. King	12	Mercer	19 Jan. 1829	Indigent.

TRUSTEES—Benjamin Mills, *Chairman*; John Green, David G. Cowan, James Barbour, *Treas.* P. T. Charles Henderson, Joseph M'Dowell, Michael G. Yoace, Rev. David Nelson, Rev. James C. Barnes, Rev. Thomas Cleland, D. D. and Lewis W. Green. James Harlan, *Secretary.*

OFFICERS—Rev. John R. Kerr, *Superintendent and assistant Teacher.* John A. Jacobs, *Principal Teacher.* Mrs. Frances Kerr, *Matron.*

PHYSICIAN—Dr. Joseph Weisiger.

Names of Pupils who have at different times left the Institution.

Lucy Barbee, Martha Railey, John Withers, Thomas Hoagland, Samuel Strickler, (since dead,) Enoch Wright, Lawry Hall, Billy Holloway, Angelina Baker, Rebecca Machedem, Patsey Terrill, Alexander Thompson, Abram Williams, John Goggin, (since dead,) Eveline Sherrill, Jabez Gaddie, William Morehead, Edith Lewellin, Moses Lewellin, Barney M'Mahon, Martin Reed, John Hoke, Beverly Parker, Isaac Jones, Anthony L. Story, James Story, Waller Rodes, William Grissom, Narcissa Fowler, Nancy M'Clesky, Seburn Goins, Jacob Lagaser, Thomas Gatewood, Jacob Carter, Mary Robertson, Margaret Bryan, Louisa Hamilton, Sally Pyle, Eliza Atwater, Louisa Tulliss and Giles Chapman.

Statement shewing the amount received and paid out for the year 1828 ending 3rd November, 1829.

Nov. 3.	To balance on hand, see last report,	\$1,934 18 1-2
	Received from Treasury for support of indigent pupils this year,	1,779 87
	Do. for tuition,	238 14
		<hr/>
		\$3,952 19 1-2

CREDIT.

By this amount paid Mr. Kerr for boarding indigent pupils,	\$692 98
His salary,	400 00
Board of Barney M'Mahon,	75 00
Fire wood for school room,	25 00
Mr. Jacob's salary, \$500 specie, equal to	560 00
Allowed him for board,	100 00
Paid for State seals,	2 00
Do. for printing,	22 97
Do. for postages,	1 87 1-2
Do. for chairs, pencils and a lock,	6 42
	<hr/>
	\$1,886 24 1-2
Balance,	2,065 95
	<hr/>
	\$3,952 19 1-2

1829

Nov. 3. Balance on hand,	\$2,065 95 1-2
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E. E. JAMES HARLAN, Sec. B. T.

An engrossed bill, entitled an act to amend an act entitled "an act to incorporate the Kentucky and Ohio Bridge Company," was read a third time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

An engrossed bill, entitled an act more effectually to prevent the importation of slaves into this Commonwealth as merchandize, was read a third time as follows:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the first day of August next, the importation of slaves into this Commonwealth as merchandize, be, and the same is hereby prohibited; and all slaves who shall be imported in violation of this act, shall be, and they are hereby declared free: *Provided*, that this act shall not be so construed as to prevent emigrants to this State from bringing with them such persons as are deemed slaves, by the laws of any one of the United States for their own use, and not as merchandize; and *provided*, that this act shall not be construed to prevent resident citizens of this State from purchasing and bringing to this State, for their own use and not as merchandize, such persons as are deemed slaves by the laws of any one of the United States; and *provided*, that this act shall not be so construed as to prevent any traveller or sojourner from another State, from bringing with them a slave or slaves for their own use and not as merchandize.

Sec. 2. That no person shall be deemed a slave or held as a slave, within this Commonwealth, except such as shall be lawfully held in slavery in this Commonwealth, when this act takes effect, and the descendants of the females of such slaves; and except such slaves and the descendants of the females of such slaves as may be lawfully imported into this State, according to the true intent and meaning of the first section of this act.

It was then moved and seconded, to postpone the further consideration of said bill, until the first day of July next.

And the question being taken thereon it was decided in the negative; the house being equally divided.

The yeas and nays being required thereon by Messrs. Love and Wilcoxon, were as follows:

YEAS—Messrs. Barlow, Beaseman, Beall, Boyd, Burton, G. Calhoon, J. Calhoon, Cox, Declary, Forrest, Harris, Harrison, Hawes, Hill, Irwin, James, Johnston, H. Jones, Kennedy, Lewright, McBrayer, Mize, C. S. Morehead, Owsley, Parker, Penn, Porter, Preston, Ray, Roberts, Rodes, Rucker, Shannon, Short, Smith, Taylor, Tomlinson, True, Walker, Wheeler, White, Wilcoxon, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson, Woolfolk, and Wright—48.

NAYS—Mr. Speaker, Messrs. Anderson, B. Allen, W. B. Allen, Bailey, Beauchamp, Brown, Bruce, Burns, Butler, Cassidy, Chambers, Coleman, Combs, Dougherty, Durham, Elliott, Field, Fisher, Griffith, Guthrie, Hardy, Harlan, Hays, Head, Hise,

Hughes, Jonas, J. H. Jones, Kouns, Laughlin, Long, Love, J. T. Morehead, Morris, Murphy, Oglesby, Parks, Rice, Robertson, Shanks, Sisk, Thomas, Tibbatts, Venable, W. C. Wilson, Worthington and Yates—48.

The question was then taken on the passage of said bill, which was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Anderson were as follows, viz:

YEAS—Mr. Speaker, Messrs. Anderson, B. Allen, W. B. Allen, Baily, Beauchamp, Brown, Bruce, Burns, Butler, Cassidy, Chambers, Coleman, Combs, Dougherty, Durham, Elliott, Field, Fisher, Griffith, Guthrie, Hardy, Harlan, Hays, Head, Hise, Hughes, Jonas, J. H. Jones, Kouns, Laughlin, Long, Love, J. T. Morehead, Morris, Murphy, Oglesby, Parks, Rice, Robertson, Shanks, Sisk, Thomas, Tibbatts, Venable, W. C. Wilson, Worthington, and Yates—48.

NAYS—Messrs. Barlow, Beaseman, Beall, Boyd, Burton, G. Calhoon, J. Calhoon, Cox, Daniel, Declary, Forrest, Harris, Harrison, Hawes, Head, Hill, Irwin, James, Johnston, H. Jones, Kennedy, Lewright, M'Brayer, Mize, C. S. Morehead, Owsley, Parker, Penn, Porter, Preston, Ray, Roberts, Rodes, Rucker, Shannon, Short, Smith, Taylor, Tomlinson, True, Walker, Wheeler, White, Wilcoxon, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson, Woolfolk and Wright—50,

And then the House adjourned.

WEDNESDAY, JANUARY, 13, 1830.

1. Mr. Parker presented the petition of the executor and heirs of Benjamin Threlkeld, praying that a law may pass authorizing the sale of certain slaves belonging to the estate of the testator, and a division of the proceeds of the sale among those entitled thereto.

2. Mr. Johnston presented the petition of George W. Nuckols, one of the devisees of Plumer Thurston, praying that a law may pass authorizing the sale of a tract of land devised by said Thurston to be divided among his children.

Which petitions were severally received, the reading dispensed with, and referred to the committee of courts of justice.

Mr. Love, from the committee of claims, to whom was referred "a bill for the benefit of Solomon Jenkins," reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill by Messrs. Coleman and Daniel, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Anderson, B. Allen, Bailey, Beall, Beauchamp, Boyd, Burns, Butler, G. Calhoun, J. Calhoun, Cassidy, Chambers, Combs, Cox, Declary, Field, Fisher, Forrest, Griffith, Guthrie, Harlan, Head, Heady, Jonas, Johnston, Laughlin, Lewright, Long, Love, McBrayer, McDonald, C. S. Morehead, J. T. Morehead, Oglesby, Parker, Parks, Preston, Roberts, Robertson, Rodes, Rucker, Shanks, Shannon, Short, Sisk, Thomas, Tibbatts, Tomlinson, Venable, G. W. Williams, W. J. Williams, E. J. Wilson, W. C. Wilson, Woolfolk and Worthington—56.

NAYS—Messrs. W. B. Allen, Barlow, Beaseman, Brown, Bruce, Burton, Coleman, Daniel, Dougherty, Durham, Elliott, Hardy, Harris, Harrison, Hawes, Hays, Hill, Hise, Hughes, Irwin, James, J. H. Jones, H. Jones, Kennedy, Kouns, Mize, Morris, Owsley, Penn, Porter, Ray, Rice, Smith, Taylor, True, Walker, Wheeler, Wilcoxon, S. Williams, Wright and Yates—41.

Ordered, That the clerk carry the said bill to the Senate, and request their concurrence.

Mr. Daniel moved for leave to record his vote on the passage of a bill, entitled "an act to prevent the importation of slaves into this Commonwealth as Merchandize," he having been absent when said vote was taken.

And the question being taken on giving him the leave asked for, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Thomas and Worthington, were as follows, viz:

YEAS—Mr. Speaker, Messrs. B. Allen, W. B. Allen, Barlow, Bailey, Beaseman, Beall, Beauchamp, Boyd, Brown, Bruce, Burton, Butler, G. Calhoun, J. Calhoun, Cassidy, Chambers, Coleman, Combs, Cox, Dougherty, Durham, Elliott, Field, Fisher, Forrest, Griffith, Guthrie, Hardy, Harlan, Harris, Harrison, Hawes, Hays, Head, Heady, Hill, Hise, Hughes, Irwin, James, Jonas, Johnston, J. H. Jones, Kennedy, Kouns, Laughlin, Lewright, Long, Love, McBrayer, McDonald, Mize, C. S. Morehead, J. T. Morehead, Morris, Oglesby, Owsley, Parker, Parks, Penn, Porter, Preston, Ray, Roberts, Robertson, Rodes, Rucker, Shanks, Short, Sisk, Smith, Taylor, Tibbatts, Tomlinson, Venable, Walker, Wheeler, Wilcoxon, S. Williams, W. J. Williams, E. J. Wilson, W. C. Wilson, Woolfolk, Wright and Yates—86.

NAYS—Messrs. Anderson, Burns, Declary, H. Jones, Rice, Thomas, True and Worthington—8.

Whereupon, Mr. Daniel voted against the passage of said bill.

Mr. Barlow, from the joint committee of enrollments, reported

that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the clerk of the Cumberland county court.

An act to change the time of holding certain circuit courts and for other purposes.

An act allowing further time for the commissioners of the Smithland and Waidsboro roads to make their reports.

An act for the benefit of the Trustees of the Simpson County Seminary.

And an act to organize two fire companies in the town of Lexington and for other purposes.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

Mr. Love, from the committee of claims, to whom was referred a bill from the Senate, entitled "an act for the benefit of Thales Huston," reported the same with an amendment. Which being twice read, was concurred in, and the said bill as amended, ordered to be read a third time.

And thereupon, the rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill as amended, do pass.

Ordered, That the clerk inform the Senate thereof, and request their concurrence in said amendments.

Mr. Love, from the same committee, to whom was referred "a bill for the benefit of the heirs of Micajah Shelton, deceased," reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time.

And thereupon, the rule of the House and constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. Love, from the committee of claims, made the following report:

The committee of claims have had under consideration, the petition of John Deverin, praying that \$500 he paid as a licence on a billiard table he never used, be refunded him, or that he be permitted to set up a billiard table for one year, in the city of Louisville, and have come to the following resolution thereon:

Resolved, That the said petition be rejected.

Which being twice read, was concurred in.

A message was received from the Senate, announcing their disagreement to a bill which originated in this House, entitled "an act to divorce Judah Varner, from her husband, John Varner."

The passage of bills which originated in this House of the following titles:

An act for the benefit of James Breathitt.

An act for the benefit of the heirs of George Stipp, deceased, and of Mary Louisa Megowan.

An act for the benefit of Richard Taylor and others.

With amendments to the two latter bills.

And the passage of bills of the following titles:

An act to amend the several laws concerning the Trustees of the town of Lexington.

And an act to provide for opening a road from New-Liberty, in Owen county, to Fredericksburg, in Gallatin county.

Mr. Guthrie, from the committee for courts of justice, to whom was referred, bills from the Senate, of the following titles:

1. An act for the benefit of Thomas T. G. Waring.

2. An act for the benefit of Jesse Corum.

3. An act to regulate attachments in civil cases.

4. An act for the benefit of Samuel Campbell, late sheriff of Caldwell county.

Reported the same without amendment.

The said bills were then ordered to be read a third time.

And thereupon, the rule of the House, constitutional provision and third reading of the 2d, 3d and 4th bills having been dispensed with.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof.

Mr. Guthrie, from the same committee, to whom was referred, "a bill for the benefit of John L. Elliott," also, a bill from the Senate, entitled "an act to regulate the fees of the clerk of the court of appeals and other clerks," reported the same with amendments.

Which being severally twice read, were concurred in, and the said bills as amended, ordered to be read a third time.

And thereupon, the rule of the House, constitutional provision and third reading of the former bill being dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. Guthrie, from the same committee, made the following report:

The committee for courts of justice have had under consideration the petition of McIntyre's heirs, and have come to the following resolution:

Resolved, That the petition be rejected.

Which being twice read, was concurred in.

Mr. Guthrie, from the same committee, to whom was referred "a bill to amend the law in relation to the navigation of Salt river," reported the same with an amendment.

Which being twice read, was disagreed to.

The question was then taken on engrossing the said bill and reading it a third time, which was decided in the negative; and so the said bill was rejected.

Mr. Hardy, from the committee of religion, made the following report:

The committee of religion, have according to order, had under their consideration, sundry petitions to them referred, and have come to resolutions thereon:

Resolved, That the petition of Austin Sea, be rejected.

Resolved, That the petition of Jerusha D. Gambling be rejected.

Resolved, That the petition of Patsey Runnolds be rejected.

Which being twice read, was concurred in.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Love, from the committee of claims—1. A bill for the benefit of Gabriel L. Bourland.

By Mr. Guthrie, from the committee of claims—2. A bill further to regulate the Court of Appeals.

3. A bill for the benefit of William Greathouse.

Which bills were severally received and read the first time and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

Mr. Tibbatts, from the joint committee appointed to examine the Transylvania University, made the following report:

To the General Assembly of the Commonwealth of Kentucky:

The joint committee of the General Assembly, appointed to visit and examine into the condition of the Transylvania University, have performed the duty imposed upon them by your resolution, and directed me to report: That with feelings of the most poignant regret, they beheld the mass of ruins to which that stately edifice, lately the abode of learning and science, had been reduced by a recent conflagration. They feel that this is a calamity which must be sincerely deplored by all who are the friends of learning, and looked upon as a catastrophe, bearing with it, not only much pecuniary loss to the State, but depriving her of one of the proudest monuments of her glory—an institution, at once deserving and exciting the admiration and praises of all visitors to our country, and conferring upon her an honorable standing among our sister Republics.

Aware that much prejudice exists, not only in the country, but in the legislature, against this truly unfortunate institution—a prejudice most sincerely believed by them, to be unfounded and unjust, your committee, for the purpose not only of complying with the duty prescribed to them, by your resolution, but with a view of laying before you and the people, a fair and just exposition of all the concerns of that institution, have devoted great attention to the subject, and hope the facts they are enabled to detail, will place the University in a situation to claim from the legislature, and a people always just and generous, that protection and encouragement, hitherto withheld, but now most pressingly needed by the institution, and most earnestly demanded by the cause of humanity and learning.

The buildings consumed in the conflagration referred to, cost near 30,000 dollars, upon which insurances had been effected to the amount of \$10,000, which have been received by the trustees. For the purpose of placing the University in a situation which would enable it to accommodate the students who might rationally be expected to resort to its halls, with a view of attaining the benefits to be derived from science and literature, it is particularly needful, that the building destroyed by the fire, should be replaced by a new one, which should contain a chapel, a library, a room to contain the philosophical apparatus, and several rooms for lectures and recitations. This building, with the materials preserved from the ruins of the one destroyed by fire, could be erected for the sum of \$25,000. As already stated, the trustees have in their hands, \$10,000 to be appropriated to this object, and will need from some beneficent source, the sum of \$15,000 as a donation or loan. If a loan should be made to them for that purpose, it will appear from the facts hereinafter detailed, that in all probability, they will have it amply in their power to repay that sum, and at all events, should it, contrary to the hopes and expectations of all the friends of the institution, fail in the resources looked to, the legislature will have power to receive back the loan in tuition, by connecting the University with the system of public schools, which it is to be hoped will be adopted at the present session, and educating there, a suitable number of young men of talents and probity, at the expense of the State, with a view to their becoming teachers in the public schools. The loss to the philosophical apparatus could be remedied with the sum of \$200; the value of the present apparatus is estimated at \$1,500. The loss to the academical library, was about 250 volumes, which has been already more than replaced, by the voluntary and benevolent donations of individuals. The law library, consisting of about 600 volumes, and valued at about \$3,000, has been entirely destroyed. There are now in the library of the college proper, 2,350 volumes, which are estimated to be worth about \$5,000. The real estate belonging to the University, consists of the lot and the buildings saved from the conflagration in the town of Lexington, worth about \$10,000; and a claim to land in the county of Caldwell, from which it is supposed little or nothing will ever be realized. In the treasury of the University, there is about a sufficiency to pay the salaries of the officers, and the incidental expences of the institution.

The present resources of the University, exclusive of the monies arising from tuition, consist of a subscription made by the citizens of Lexington and the vicinity, near 18 months since, of the annual sum of about \$3,500 to continue for four years from its commencement, with a reservation of the

right to the subscribers, of the privilege of taking out the amount of their subscription in tuition, at the usual rates; of which privilege the subscribers generally avail themselves, by sending to the University, youths who are unable to educate themselves. The University also receives annually, a sum between \$100 and \$200, arising from fines and forfeitures, and taxes on sales at auction. In the grammar school, there are two teachers and 56 students, at an annual fee for tuition of \$25 each. In the college proper, there are four teachers and 80 students, who pay each, \$30 per annum for tuition, and an admission fee of five dollars. The teachers in the grammar school and the college proper, with the exception of the Morrison professor, are paid by the above named subscription of \$3,500, and by the tuition money received from those students who pay tuition fees.

In the law department there are nineteen students, who pay \$25 for tuition, and one professor, whose salary is entirely contingent, and dependent on the tuition received from the students who attend his lectures. There are six professors in the medical department, whose salaries are also contingent on the fees paid by the students attending those lectures. In this department, there are 200 students who pay for admission to the anatomical lectures, \$20, and to each of the other professorships \$15.

The whole number of students attending all the departments of the University, is 357, of whom, 63 have their homes in Lexington, 126 come from other parts of the State, and 168 from other States and Territories. Upon the most accurate calculation which can be made of the expences of each student, from another State or Territory annually, it is considered a very moderate estimate to place it at an average of \$200. From this calculation, it will appear, that during the present year, the sum of *thirty-three thousand and six hundred dollars* have been brought into, and left in this State, by foreign students, attending the various departments of the University. In the year 1826, when the institution was enjoying the patronage of the State, and was under the direction of that able and much persecuted man, whose remains now lie buried in the silent ocean, lamented by those in whom learning and talents are calculated to excite admiration, there were from other States, 228 students, who contributed to the wealth of the State, the sum of *forty-five thousand and six hundred dollars*. If, under the direction of its very amiable, intelligent and learned President, unaided by public munificence, in her present deplorable condition, the University is drawing to her, so many youths from foreign States, it would not be extravagant to say, that with even a moderate patronage from the State, there would attend the University annually, 200 students from other States, which would make an annual income to the State, of *forty thousand dollars, drawn into it by the University*. To this sum may be added, a saving of *ten thousand dollars*, kept in the State by the University, which, on the most moderate calculation, would be carried from our country by the sons of residents, who would be sent to foreign colleges, if there were no institution of that character in this State—so that it will appear, that the existence of the University in the State, under circumstances of even moderate prosperity, adding together the sum thus prevented from being exported, and the sum thus imported, is a *clear and apparent annual addition to the wealth of the State, of fifty thousand dollars*.

The late Col. James Morrison, in his last will, devised to the University, the sum of \$20,000, to be invested in some productive fund, and the pro-

ceeds to be appropriated as a salary to a professor in the institution, or the whole to the purchase of a library. The trustees have constituted the professorship of mathematics, the Morrison professorship in the University—loaned out the money at the rate of six per centum per annum, upon real security, deemed amply sufficient, and apply the proceeds to the payment of the professor of that science, agreeably to the wishes of the liberal donor. Besides the above sum, the same individual bequeathed the whole residuum of his estate, after paying certain legacies, to the University, which residuum, it is believed by those who are best acquainted with the subject, will amount to 50 or \$60,000; but as there is a life annuity of \$2,000, and a contingent legacy of \$2,000 to be paid from this residuum, and some suits depending, the trustees are not, at this time, and may not be for some years, able to avail themselves of the munificent donation of Col. Morrison, and are compelled to look to some other quarter for the means necessary to reinstate the buildings which have been destroyed; for, if they should not be enabled to obtain that sum from some source or other, it is greatly to be feared, that the University may be compelled to suspend its operations, the liberal bequests of Col. Morrison, which may probably amount to 75 or \$80,000, become a lapsed legacy, and be lost to the cause of literature and humanity, and to the State, (for it must always be borne in mind that the University belongs to the State, and is the property of the people, together with all its wealth, certain and expectant,) and the State lose an annual income of \$40,000, and be drained of an annual expenditure of \$10,000 besides. To whom shall she look in the hour of her misfortunes? To whom shall science appeal for protection, and aid, and comfort, when her abode is burnt to ashes, and she is a wanderer in the land, without a home to shelter her? To whom, but to a free and magnanimous people, renowned for their bravery, and that noble quality that always adorns the brave—that open handed and open hearted generosity and sympathy for the distressed—that liberal spirit of kindness and devotion in the cause of humanity and learning? When the prodigal son returned in distress to his father's house, instead of meeting him with rebuke, his father invited his friends and kindred to a banquet, and rejoiced and wept over him with all the endearments of affection. And should it be true, as it is by some charged, though without just cause as we believe, that the University has been prodigal of the kindnesses heretofore extended to her, and that her concerns have been badly managed, does it therefore follow, that the people should do nothing more to promote the cause of education, and leave the future millions of this country in ignorance, or to struggle for the lights of knowledge, unaided by legislative interference? Does it follow, that what has been done by the State, should be lost? That the liberal and munificent donations to the institution, should be sacrificed and pass into other hands? That the large property of the people in that institution, should be suffered to go to ruin and desolation? That our State should be drained, year after year, of its resources, in the education of her youth in foreign States, and become tributary to others who are more alive to their interests and the cause of learning?

It is often said that large funds have been lavished on the University, and that they have been extravagantly expended. For the purpose of correcting an impression, believed by your committee to be erroneous, they beg leave to submit a few facts, from which they think that the conclusion must neces-

sarily result, that the State has at one time done that institution much injury, and though at a late period, the hand of munificence was extended towards her, the sums appropriated were by no means large, when compared with the donations of other States to their literary institutions; and further, that the munificence of the State, heretofore extended, has not been improvidently expended or wasted, but appropriated strictly to the objects intended.

In the year 1780, the State of Virginia established the Transylvania Academy, and endowed it with twenty thousand acres of escheated lands, lying in Kentucky county. In the year 1795, an association of gentlemen, desirous of promoting the cause of education, endowed another literary institution, called the Kentucky Academy. These two institutions subsequently, in 1798, became united, and were the origin of that now called the Transylvania University. After Kentucky was erected into a State, laws were passed, exempting lands from escheat, the effect of which laws was, that the Transylvania Seminary only received eight out of the twenty thousand acres of land, with which she had been endowed by Virginia. No advantage was derived to the institution from this interference of the Kentucky Legislature, but on the contrary, an actual and serious injury, to the amount of about thirty-five thousand dollars; which sum, the twelve thousand acres of land, she was deprived of by the State of Kentucky, it may fairly be presumed, would have yielded to the institution, inasmuch as the eight thousand acres yielded to her thirty thousand dollars. The funds derived from the sale of these lands, were vested in the stock of the Bank of Kentucky. The legislature repealed the charter of that bank, and a loss was here again sustained by the institution, of about twenty thousand dollars. Thus far, the public patronage, instead of giving life and energy to this valuable institution, cut off her resources, cramped her energies, and blighted her prospects.

What then is the reparation which the Legislature of Kentucky has made for the injuries thus inflicted by it on this institution? And what are the large appropriations which the people have been lead to believe, have been lavished upon her? Simply these: The legislature gave to the University, the bonus of the Farmers' and Mechanics' Bank, amounting to the sum of \$3,000; in 1820, the sum of \$5,000 was appropriated to the medical department, to be expended in the purchase of books and apparatus, to be held as the property of the State, for the use of the University; in 1821, \$20,000 in notes of the Bank of the Commonwealth, equal to \$10,000 in specie was appropriated; and a sum not exceeding \$2,000 has been derived by her from duties on auctions, and from fines and forfeitures. So that the legislature of Kentucky has altogether, donated to that institution, about the sum of \$20,000 specie, from the commencement of the government to the present day. These funds, instead of being extravagantly used, have been expended according to the intention of the legislature, in the purchase of a philosophical apparatus and books, and partly in the payment of debts contracted for those buildings consumed in the late conflagration.

It is not pretended, that the State is not entitled to credit for these appropriations, in the furtherance of the cause of learning; but, on the contrary, all the honor to which they are entitled, is most cordially yielded, and it is cheerfully granted that they have done much good. Your committee only contend, that the people have been deceived as to the amount of the appro-

priations which have been made, not as they would hope, from any disposition on the part of any person, to misrepresent to them the true state of the case, but from a want of information on the subject; as they could not believe for a moment, that any man could be found in the community, who would be so lost to all moral principle, as, by a designed misrepresentation, to deceive the people on a subject so vitally important to the welfare of the country, and to the permanence of our free institutions. Your committee, having thus succinctly shown the real amount of patronage which the Transylvania University has derived from the legislature of Kentucky, will submit for your consideration, a few facts, for the purpose of showing that the patronage heretofore extended, instead of being extravagant, as has been misrepresented, is comparatively speaking, very moderate, and by no means as much as the institution would have a right to expect from the representatives of a liberal and generous people. When we examine into the history of our sister republics, we find that they have uniformly fostered and encouraged their literary institutions, by extending towards them, a liberality highly honorable and commendable. Most of the States have made liberal endowments to their Colleges and Universities. Among them, we find that the State of New-York, besides appropriating to her common schools, more than \$2,500,000, has given to those institutions devoted to the medical science, \$83,100, and to her Academies and Colleges, the sum of \$1,265,579. The State of Pennsylvania has bestowed on her University and Dickenson College, more than \$300,000. The State of South-Carolina has granted to Columbia College, in various kinds of property, \$400,000, and that College now receives an annual grant of about \$19,000; and last, though not least, our parent State, Virginia, has bestowed on her University at Charlottesville, about \$400,000, besides an annual endowment of \$15,000. Your committee believe these facts sufficient to establish the position they have assumed, and will conclude this part of their subject by reference to another fact, which they deem honorable to the enlightened age in which we live, and an evidence of the irresistible march of mind, and of the importance attached to the subject of education by those less civilized than ourselves, and less able than we are, to give it an enlightened consideration. By a treaty in 1822, the Choctaw nation of Indians, made a reservation of \$120,000 for the education of their youth, and in furtherance of their views, the sum of \$6,000 is annually appropriated from that sum to the support of a very flourishing Academy, located in our own State, where, at this time, 91 Indian youths are receiving all the benefits and blessings to be derived from education. Subsequent to the above appropriation, an additional school fund was created by the Choctaw chiefs, arising from the sale of some of their lands. The Creeks and Potawatamies, in late treaties, have also made large reservations, destined to the same laudable object. When our sister republics have done so much upon this subject, and when even the savages who remain in our country, have made such liberal appropriations in the cause of education, it cannot be believed, that Kentucky, whose sons are always ambitious to be foremost in whatever is liberal, or productive of those improvements which tend to the perpetuity of our republican institutions, will think that the \$20,000 she has given to her University, is a lavish and useless appropriation of her funds.

Your committee are aware, that there is an opinion very prevalent in this community, that the Colleges and the University are institutions which are

exclusively for the benefit of the rich and aristocratic portion of the people; that the poorer classes derive no advantages from them, and therefore, that the legislative patronage should not be extended towards them. Your committee believe, that this opinion is totally erroneous, and can be made to appear clearly so, if a little calm and unprejudiced consideration be given to the subject. It is true that the rich send their children to these institutions, but it is also, equally true, that it is a matter of but little importance to them, in a pecuniary point of view, whether such institutions exist in the State or not—if they do, they will avail themselves of the opportunity of educating their children near to their homes—if they do not, they will employ private teachers, or send their children to the Colleges and Universities in other States, where the policy of the government is wiser; and those children will return home, after having acquired a foreign education, foreign principles, and foreign habits, and with a fancied or real superiority over the youths educated in the country, calculated to excite distinctions and feelings dangerous to republican institutions. Your committee do not believe, that a University or College is, or ought to be, *exclusively* beneficial to any portion of the community. The rich can readily do without them—their existence in the country, is more for the advantage of the poor man, who, if he do not have them in his own country, must do without them entirely; for he has not the means of sending his children to a foreign country, to obtain their education; and thus, the children of the poor would be deprived of that fair and honorable competition for distinction, which, with equal education they would enjoy, because they cannot find the means of going abroad for the improvement of their minds. Your committee believe, that the opinions here given, will be fully verified by an examination of the history of the Transylvania University, and a knowledge of the young men who have been able to avail themselves of the opportunity afforded them, by its location and encouragement in the State, of obtaining an education, which otherwise they would have been entirely deprived of.

Your committee have a full knowledge of the difficulty of removing prejudices of the character of those last alluded to—they have, however, felt it their duty, to attempt it; and have been induced, from the importance of the subject, to say more in relation to the University, than under other circumstances would have been necessary. They will close this report, with one further suggestion: The University is the property of the people—the cause of education is admitted by all, both ignorant and intelligent, to be one of vital importance in preserving the purity of our republican institutions. There seems that a disposition exists in the legislature to do every thing to encourage its general diffusion among the people, both rich and poor, without distinction. The house of representatives have already adopted a system with that view, which it is sincerely hoped will meet with the consent of the senate, and the approbation of the Governor. This system will, however, be incomplete in one very important particular. For the purpose of the general diffusion of education among the people, primary schools are all-important; but these schools without teachers, will be useless, and with incompetent ones, may prove highly prejudicial to the best interests of the country. In them the earliest impressions are to be made on the minds of our youths, which will continue with them, forming and modifying their characters through life. It is essential, therefore, for the perfection of that system, and to ensure it a complete and happy success, to provide them

with competent teachers, and to make the employment an honorable and respectable one. A school, therefore, should be constituted for this purpose. The Transylvania University, presents to us a fortunate opportunity for effecting that all-important object. Let the legislature provide by law, for the selection from the primary schools, which may go into operation under the system proposed in the several counties in the Commonwealth, a number of the most deserving and talented youths, corresponding with the number of representatives to the State legislature, to be apportioned among the counties according to the ratio of representation—let these youths be educated at the Transylvania University, at the expense of the State, for the term of four years. This plan will at once connect the University with the system of public schools, and make it an important component part of that system—it will do away much of the prejudice existing against it—it will afford that institution a certain annual revenue, sufficient for its ordinary purposes—it will prevent its ruin, and preserve to the State, an institution, which is not only very honorable, but also very profitable to it—it will create a strong inducement to the several counties of the State, to adopt the system of primary schools, and be an honorable incentive to the ambition of the youths, to excel in those primary schools for the purpose of arriving to that honorable distinction of being selected by their county, for their character, talents, probity and attention to their studies, and will educate a great number of young men, of whom many would devote themselves to the profession of education in the primary schools, and thus keep up a constant supply of competent and well educated teachers. The expense of this plan, would be but the moderate sum of about \$3,500 per annum—the advantage to the State and to posterity incalculable.

The suggestions made in this report, your committee beg leave to state, are not made with a view of obtaining, for the University, any appropriation from the present legislature. They are fully aware of the indisposition on the part of many, to make any appropriation. They know that there are others who are placed in a situation in which they cannot act freely on this subject—and again, others who are entirely disposed to do every thing for the University, which in reason could be asked of them, but whose freedom of action is restrained by motives and considerations always important with the republican representatives of a free people. Indeed they are compelled, however reluctantly, to admit, that at this time it might be imprudent in the friends of the University, and lastingly injurious even to the institution itself, to anticipate the public will, and act unadvisedly upon the subject. No! their object is different—they ask only, that the legislature may lay the subject fairly before the people, and enable them to understand it. The people are, under our happy and republican constitution, the source of all legislative power, and legislative benevolence; let them decide the question. There is no doubt they will decide it correctly—there is no fear of the result. The people, in the exercise of their power, when properly informed, are always just—always generous. May the cause of humanity and learning, may the spirit of our republican institutions, may the genius of liberty aid and assist them in their calm and unprejudiced deliberations. We know that there is an all-seeing eye, ever watchful of our fortunes—an overruling Providence, which guards and protects us from stumbling in our path—a power that can draw the light from the darkness, educe good from evil, and convert misery and misfortune into happiness and prosperity. No

doubt, that eye has seen some great object to be accomplished, unseen to our limited vision, from this serious calamity. That Providence, and that power, will be exerted to protect a cause in which the human race is so deeply interested, from any serious injury, and the Transylvania University will yet, Phoenix like, arise from her ashes, renovated and endowed with fresh vigor, to be a pride and ornament to our State—a blessing to generations yet to come.

JOHN W. TIBBATTS,
Chairman of the Joint Committee.

Ordered, That the public printer forthwith print 1000 copies of said report for the use of the members of this house.

The House then, according to the standing order of the day, resolved itself into a committee of the whole House, Mr. Smith in the chair; and after some time spent therein, the Speaker resumed the chair, and Mr. Smith reported that the committee had according to order had under consideration “a bill to provide for turnpiking the principal roads in this Commonwealth,” and had made some progress therein, but not having time to go through the same, had instructed him to ask leave to sit again. Which being granted,

The House then adjourned.

THURSDAY, JANUARY, 14, 1830.

1. Mr. White presented the petition of sundry citizens of the city of Louisville, praying an amendment to the city charter.
2. Mr. Irwin presented the petition of sundry citizens of Logan county, praying the establishment of an election precinct in said county.
3. Mr. Murphy presented the petition of sundry citizens of Clay and Perry counties, praying an appropriation to aid them in opening a road from Manchester, through Hazard and to the Virginia line.
4. Mr. Brown presented the petition of William Faulconer, praying compensation for guarding the jail of Jessamine county.
5. Mr. Parker presented the petition of sundry citizens of Maysville and its vicinity, praying the passage of a law for the extension of the boundaries of said town.
6. Mr. Tomlinson presented the petition of the Synod of Kentucky, praying remuneration of a sum of money vested by them in the Kentucky Academy, and therein transferred to and now held by Transylvania University.
7. Mr. Rice presented the petition of sundry citizens of Pikeville, praying that a law may pass, authorizing the Trustees of said town to straighten a part of the main-street of said town.

8. Mr. Harlan presented the petition of Solomon Keel, praying a divorce from his wife, Ormanuda Keel.

Which petitions were severally received, the reading dispensed with, and referred; the 1st. to the committee of courts of justice; the 2d, to the committee of propositions and grievances; the 3d, to the committee of internal improvements; the 4th and 6th, to the committee of claims; the 5th, to a select committee of Messrs. Parker, Bailey and Hawes; the 7th, to a select committee of Messrs. Rice, Burns and Love; and the 8th, to the committee of religion.

On motion—

Ordered, That Mr. Long have leave of absence from the service of this house until Monday next.

Mr. Bruce read and laid on the table, the following preamble and resolution:

Whereas, all Bank corporations, are in the nature of things, well calculated to impoverish the industrious class of the citizens of the United States, in the same relative proportions that it advances the interest of the body corporate, and as it is believed that the present Bank of the United States, in its organization, a large proportion of the stock being owned by foreigners, whose political principles are in direct opposition to our free and social institutions, and being moved by monied capital, both real and fictitious, and that capital, used to preserve and perpetuate the interest of the Bank, which is in effect preserving the interest of foreigners, and extending to said foreigners a controlling influence in our government; and as it is manifest that the act of Congress incorporating the present Bank of the United States, conflicts with the constitution of the United States; and as it is the true interest of society to keep down and prohibit every thing (either directly or indirectly,) calculated to divert the government from its legitimate purpose: For remedy wherefor,

Resolved by the Senate and House of Representatives of the Commonwealth of Kentucky, That the act of Congress incorporating the present Bank of the United States, is unconstitutional and in direct opposition to the spirit and genius of the government of the United States.

Resolved, That our Senators in the Congress of the United States, be instructed, and our Representatives be requested to use all fair and honorable means to prevent a renewal of the act of Congress, incorporating any Banking company, to deal in bills of exchange, or emit the usual Bank notes.

Resolved, That the Governor of the state of Kentucky, be requested to transmit copies of the foregoing preamble and resolutions to our Senators and Representatives in the Congress of the United States; also, copies to the Executives of the respective State Governments, with a request that they lay the same before the Legislatures thereof, and request their concurrence.

A message was received from the Governor, by his Secretary, Mr. Crittenden, announcing that the Governor had approved and signed enrolled bills which originated in this House, of the following titles:

An act for the benefit of Abraham Smith.

An act to legalize the proceedings of the circuit and county courts of Hancock county.

An act to change the place of voting in an election precinct in Hardin county, from John Buckles', to Stephen Southern's', and for other purposes.

An act to regulate the Wilderness and Turnpike Road.

An act to establish the towns of Floydsburg, Brownsboro, and Paducah, and for other purposes.

An act authorizing the insertion of advertisements in the Spy and Religious and Literary Intelligencer.

An act authorizing the sheriff of Wayne county to be qualified at the March term.

An act to change the time of holding courts in certain counties.

An act to organize a fire company in the town of Russellville.

An act for the benefit of Peggy Gillock.

An act for the benefit of Mary Pedigo.

An act to reduce the number of Trustees to the New-Castle Seminary to five.

An act for the benefit of Thomas Vaughan and others.

An act for the benefit of Foster's devisees.

An act to amend an act, requiring certain duties of the clerks within this Commonwealth.

An act to amend the law defining the powers of the Trustees of the town of Newport.

An act to change the time of holding certain circuit courts and for other purposes.

An act for the benefit of the clerk of the Cumberland county court.

An act allowing further time for the commissioners of the Smithland and Waidshoro roads to make their reports.

An act for the benefit of the trustees of the Simpson county seminary.

An act to organize two fire companies in the town of Lexington, and for other purposes.

Ordered, That the clerk inform the Senate thereof.

On the motion of Mr. Crow—

Ordered, That leave be given him to record his vote on the passage of a bill, entitled "an act to prohibit the importation of slaves into this Commonwealth as merchandize."

Whereupon, he voted against the passage of said bill.

Mr. Guthrie from the committee for courts of justice, to whom

was referred, a bill from the Senate, entitled "an act for the benefit of Azra Offutt," reported the same without amendment.

The said bill was then ordered to be read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof.

A message was received from the Senate, announcing their disagreement to a bill which originated in this House, entitled "an act to amend the penal laws."

The passage of a bill entitled "an act in relation to the Georgetown and Cincinnati Turnpike," with an amendment.

The passage of bills of the following titles:

An act for the benefit of the Pike county court.

An act to authorize James G. Lindsey of Campbell county, to remove his ferry.

An act for the benefit of Jesse Combs.

An act to change the time of holding the Bullitt circuit court.

An act to furnish certain officers with the digest of the statutes.

An act for the benefit of Kitty B. Gray and the President and Directors of the Greensburg Branch Bank.

And of a resolution for the final adjournment of the General Assembly.

Mr. Guthrie, from the committee for courts of justice, to whom was referred a bill from the Senate, entitled "an act to declare the punishment for certain misdemeanors," reported the same with amendments.

Which being twice read, were concurred in.

It was then moved and seconded to postpone the further consideration of said bill until the first day of June next; and the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Anderson and J. Calhoun, were as follows:

YEAS—Messrs. B. Allen, Barlow, Beaseman, Bruce, Burton, G. Calhoun, J. Calhoun, Cassidy, Chambers, Coleman, Daniel, Dougherty, Durham, Elliott, Fisher, Griffith, Harlan, Harris, Head, Heady, Hill, Irwin, James, Laughlin, McBrayer, McDonald, Mize, C. S. Morehead, Oglesby, Owsley, Parks, Penn, Porter, Rice, Rucker, Shannon, Short, Sisk, Tomlinson, True, Venable, Walker, W. J. Williams, W. C. Wilson, Wright and Yates—46.

NAYS—Messrs. Anderson, W. B. Allen, Bailey, Beall, Beauchamp, Boyd, BROWN, Burns, Butler, Combs, Cox, Crow, Declary, Field, Forrest, Guthrie, Hardy, Harrison, Hawes, Hays, Hughes, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Kouns, Le-wright, J. T. Morehead, Morris, Murphy, Parker, Preston, Roberts, Robertson, Rodes, Shanks, Smith, Taylor, Thomas, Wheeler, G. W. Williams, S. Williams, Woolfolk and Worthington—45.

Mr. Guthrie, from the same committee, to whom was referred, "a bill more effectually to secure shipwrights and others in their claims on steam-boats, or other vessels navigating the western waters," reported the same with an amendment.

Which being twice read, was concurred in, and the said bill as amended, ordered to be engrossed and read a third time.

And the rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate, and request their concurrence.

Mr. Guthrie, from the same committee, to whom was referred "a bill to amend the law in relation to the duties of executors and administrators," reported the same with an amendment, in lieu of the bill.

Which being twice read, was concurred in.

Ordered, That the public printer forthwith print 150 copies of said bill as amended, for the use of the members of this house.

Mr. Combs, from the committee of ways and means, to whom was referred, a bill from the Senate, entitled "an act for the benefit of the settlers west of the Tennessee river," reported the same without amendment.

The said bill was then ordered to be read a third time.

And thereupon, the rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof.

Mr. Combs, from the same committee, to whom was referred, "a bill for the benefit of the Christian Academy," reported the same with an amendment.

Which being twice read, was concurred in, and the said bill as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the House constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill by Messrs. Daniel and C. Morehead, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Beall, Beauchamp, Boyd, Brown, Butler, G. Calhoun, J. Calhoun, Chambers, Combs, Crow, Declary, Field, Forrest, Griffith, Guthrie, Harlan, Hays, Head, Heady, James, Jonas, Johnston, H. Jones, Kouns, Lewright, Love, McBrayer, C. S. Morehead, J. T. Morehead, Murphy, Oglesby, Porter, Preston, Roberts, Robertson, Rodes, Rucker, Shanks,

Shannon, Short, Sisk, Smith, Taylor, Thomas, Tomlinson, Venable, White, G. W. Williams, E. J. Wilson and Worthington—51.

NAYS—Messrs. B. Allen, Barlow, Bailey, Beaseman, Bruce, Burns, Burton, Cassidy, Coleman, Cox, Daniel, Dougherty, Durham, Elliott, Fisher, Harris, Harrison, Hawes, Hughes, Irwin, J. H. Jones, Kennedy, Laughlin, McDonald, Mize, Morris, Owsley, Parker, Parks, Ray, Rice, True, Walker, Wheeler, Wilcoxen, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Wright and Yates—41.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. Barlow, from the joint committee of enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the Senate, of the following titles:

An act for the benefit of Henry Waddle.

An act for the benefit of John Cottrel and others.

An act to legalize the proceedings of the court of assessment in the third regiment of Kentucky Militia.

An act for the benefit of Mary Cale.

An act for the benefit of the widow and heirs of Benjamin Mason, deceased.

An act to authorize the county court of Owen county to sell and convey the lot of ground on which the old jail stands.

An act to incorporate the trustees of the Union meeting house in Warren county.

An act to incorporate the trustees of the Union meeting house in Logan county, and of the Union meeting house in Russellville.

An act for the benefit of Anner Taylor.

An act to allow an additional justice of the peace and constable for Garrard county.

An act to declare the Bayou de Chien, Obion and Mayfield's creek navigable streams.

And a resolution to appoint committees to examine the public offices.

And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

Mr. J. T. Morehead, from the committee on internal improvements, to whom was referred a bill from the Senate, entitled "an act concerning the public highways in the county of Fayette, and for other purposes," reported the same without amendment.

The said bill was then ordered to be read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof.

Mr. Morehead, from the same committee, to whom was referred a bill from the Senate, entitled "an act to provide for opening a road from Floyd Court-house, to Little Sandy Salt Works, by way of Paintsville and Sweetmans," reported the same with an amendment.

Which being twice read, was concurred in, and the said bill as amended, ordered to be read a third time.

And thereupon, the rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill as amended, do pass.

Ordered, That the clerk inform the Senate thereof and request their concurrence in said amendment.

Mr. Morehead, from the same committee, to whom was referred "a bill to provide for completing the road from Beaver Creek Iron Works in Bath county, by way of West Liberty in Morgan county, to the town of Louisa," reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Heady, from the committee on military affairs, to whom was referred "a bill to provide for digesting the militia laws of this Commonwealth, and for other purposes," reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time, to-morrow.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Guthrie, from the committee for courts of justice—1. A bill in relation to the clerks of county courts.

2. A bill for the benefit of the devisees of Benjamin Threlkeld, and of Plummer Thurston.

3. A bill to authorize the Mayor and Councilmen of Louisville to elect inspectors of Tobacco, in said city.

Which bills were severally received and read the first time and ordered to be read a second time.

And thereupon, the rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

The House then, according to the standing order of the day, resolved itself into a committee of the whole house, Mr. Butler in the chair; and after some time spent therein, the Speaker resumed the chair, and Mr. Butler reported that the committee had according to order had under consideration an engrossed bill entitled "an act to amend an act entitled 'an act to incorporate the

Lexington and Frankfort Turnpike or Rail Road Company," and had gone through the same with sundry amendments, which he handed in at the clerk's table, and which being twice read, were concurred in.

The said bill having been re-engrossed, the question was then taken on the passage thereof, which was decided in the affirmative.

The yeas and nays being required on the passage thereof by Messrs. Morris and Combs, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Baily, Beaseman, Beall, Beauchamp, Brown, Bruce, Burns, Butler, Cassidy, Chambers, Coleman, Combs, Cox, Crow, Daniel, Declary, Dougherty, Durham, Elliott, Field, Forrest, Griffith, Guthrie, Harlan, Harris, Harrison, Hawes, Hays, Heady, Hise, Hughes, Irwin, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Kouns, Lewright, M'Brayer, Mize, C. S. Morehead, J. T. Morehead, Murphy, Oglesby, Owsley, Parker, Parks, Penn, Preston, Rice, Roberts, Robertson, Rodes, Shanks, Shannon, Short, Sisk, Smith, Taylor, Thomas, Tomlinson, True, Venable, Walker, Wheeler, White, Wilcoxon, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson, W. C. Wilson, Woolfolk, Worthington and Wright—80.

NAYS—Messrs. Morris, Rucker and Yates—3.

Ordered, That the clerk carry the said bill to the Senate, and request their concurrence.

On motion—

Ordered, That Mr. Tibbatts have leave of absence from the service of this house.

Leave was given to bring in the following bills:

On the motion of Mr. Brown—1. A bill to incorporate a company to turnpike a road from Lexington, through Versailles, to Frankfort.

On the motion of Mr. Preston—2. A bill for the purpose of having the Edmonson county line run from White's to Hunter's, and also, to run the line between Edmonson and Barren.

On the motion of Mr. Rucker—3. A bill to amend an act entitled "an act to amend an act providing for the appointment of an engineer to survey the Kentucky, Licking and Green rivers;" and,

On the motion of Mr. Barlow—4. A bill to authorize the sheriff of Monroe county to execute bond for the collection of the revenue and county tax of said county.

Messrs. Brown, Field and C. S. Morehead, were appointed a committee to prepare and bring in the first; Messrs. Preston Hardy, Barlow and Porter, the second; Messrs. Rucker, Hughes, Combs and Morris, the third; and Messrs. Barlow, Hardy and Walker, the fourth.

Mr. S. Williams moved to obtain leave to bring in a bill to revive the ca. sa. law under certain restrictions.

And the question being taken on granting leave to bring in said bill, it was decided in the negative.

And then the House adjourned.

FRIDAY, JANUARY 15, 1830.

1. Mr. J. H. Jones presented the petition of Eleanor Faris, R. W. F. Faris and Thomas W. Fleming, praying that a law may pass, appointing a commissioner to sell certain real estate belonging to them, as devisees of John Faris.

2. Mr. Roberts presented the petition of sundry citizens of Hardin county, praying that a law may pass authorizing Thomas J. Wathan and Amelia, his wife, to sell and convey a lot in Elizabethtown in said county.

3. Mr. Guthrie presented the petition of sundry citizens of Louisville, praying an act of incorporation of an insurance company in said city.

4. Mr. Wilcoxon presented the petition of sundry citizens of Bullitt county, praying the donation of a small tract of land to Jacob Hubbs, a poor man with a large family.

5. Mr. Baily presented the remonstrance of sundry citizens of Mason county, in the vicinity of Maysville, against being added to said town.

Which petitions and remonstrance were severally received, the reading dispensed with and referred; the 1st, 2d, 3d and 4th, to the committee of courts of justice; and the 5th to the committee of propositions and grievances, to whom also was committed the petition of the citizens of Maysville, for an extension of the boundary of said town.

On the motion of Mr. Beauchamp—

Ordered, That leave be given to bring in a bill for the benefit of Gideon Granger, and that Messrs. Beauchamp, Durham and J. T. Morehead be appointed a committee to prepare and bring in the same.

Mr. Forrest, from the select committee to whom was referred, a bill from the Senate, entitled "an act altering the time of holding the Washington circuit court," reported the same with amendments.

Which being twice read, were concurred in, and the said bill, as amended, ordered to be read a third time.

And thereupon, the rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass.

Ordered, That the clerk inform the Senate thereof, and request their concurrence in said amendments.

A message was received from the Senate announcing the passage of a bill, entitled "an act to repeal part of an act regulating ferries on the Tennessee river and part of Cumberland river," approved January 19th, 1827.

Mr. Irwin, from the select committee, to whom was referred a bill from the Senate, entitled "an act for the benefit of Russellville Lodge, Mo 17," reported the same with an amendment,

Which being twice read, was concurred in.

And the said bill as amended, ordered to be read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill, as amended, do pass.

Ordered, That the clerk inform the Senate thereof, and request their concurrence in said amendment.

Mr. Anderson, from the select committee appointed for that purpose, made the following report:

The select committee, to whom was referred the memorial of John T. Fleming, praying for the removal of Nelson Mays, a justice of the peace for Mercer county, have had that subject under consideration, and beg leave to report:

That, as soon as practicable, after said memorial had been referred to them, they addressed a notice to said Nelson Mays, informing him of the nature of the charge preferred against him, and also issued a summons for witnesses to attend before them, which process was regularly executed by the Deputy Sergeant of this house. Instead of the appearance of said Mays before the committee, he responded, by informing them, that he had resigned his office, and enclosed his resignation immediately to the Governor of this State. Although the committee do not recognize the right of an officer of government, to resign his office, after charges and grounds of impeachment are preferred against him, so as to avoid the effects of the impeachment, yet, under the circumstances of this case, connected with the late period of the session, at which the charges were preferred, they do not deem it proper or necessary to proceed any further with the investigation of said charges. They therefore ask to be discharged from the further consideration of said memorial.

Which being twice read, was concurred in.

Mr. Burns, from the select committee to whom was referred the amendments proposed by the Senate to a bill which originated in this House, entitled, an act to establish an election precinct in the county of Fleming, and for other purposes, reported the same with amendments.

Which being twice read, were concurred in, with an amendment.

Ordered, that the clerk inform the Senate thereof, and request their concurrence in said amendments.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Rice—1. A bill further to regulate the town of Pikeville in the county of Pike.

By Mr. James—2. A bill for the benefit of Jarrett Willingham and James Lockridge.

By Mr. Guthrie—3. A bill supplementary to an act, entitled, an act to encourage the general diffusion of education in this Commonwealth, by the establishment of an uniform system of public schools.

By Mr. Forrest—4. A bill for the benefit of William Bartlett and others.

By Mr. M'Donald—5. A bill for the benefit of Edward Lee.

By Mr. Rucker—6. A bill to change the tobacco inspection in the town of Eddyville.

By Mr. Thomas—7. A bill for the benefit of Micajah V. Harrison, and for other purposes.

By Mr. Preston—8. A bill for the purpose of having the Edmondson county line run from White's to Hunter's; and also, to run the line between Edmondson and Barren.

By Mr. Barlow—9. A bill to authorize the sheriff of Monroe county, to execute bond for the collection of the revenue tax and county levy of said county.

By Mr. Mize—10. A bill for the benefit of William M'Clain, deputy sheriff of Estill county.

By Mr. Brown—11. A bill to incorporate a company to turnpike a road from Frankfort by way of Versailles to Lexington.

By Mr. Butler—12. A bill to authorize the insertion of advertisements in the Public Leger.

By Mr. Preston—13. A bill for the purpose of improving the road at Little Barren river.

By Mr. James—14. A bill for the benefit of widows and orphans.

By Mr. Burns—15. A bill to authorize the copying of certain books in the Surveyor's office of Clay county.

By Mr. G. W. Williams—16. A bill supplemental to an act amendatory of an act incorporating certain turnpike roads of this Commonwealth, passed January 29, 1829.

By Mr. Burns—17. A bill to authorize the sale of the Seminary lands of Perry county.

By Mr. Laughlin—18. A bill to complete the Whitley Turnpike Road.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 6th, 7th, 8th, 9th, 10th, 12th and 17th bills were ordered to be engrossed and read a third time; the 2d, 5th and 15th were com-

mitted to the committee for courts of justice; the 3d to the committee on education; the 4th to a select committee of Messrs. Griffith, Smith and Forrest; the 11th, 13th 16th and 18th to the committee on internal improvements; the 14th to the committee of claims.

And thereupon the rule of the House, constitutional provision and third reading of the 1st, 6th, 7th, 8th, 9th, 10th, 12th and 17th bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

On the motion of Mr. Hise—

Leave was given him to record his vote on the passage of a bill for the benefit of the Christian Academy.

Whereupon he voted in the affirmative.

Mr. Smith, from the select committee to whom was referred a bill for the benefit of William Bartlett and others, reported the same with an amendment.

Which being twice read, was concurred in; and the said bill as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,*

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

On the motion of Mr. G. W. Williams—

Ordered, That leave be given to bring in a bill supplemental to an act amendatory to the act incorporating certain turnpike road companies in this Commonwealth, passed January 29, 1829; and that Messrs. Williams, Taylor, Kennedy and Parker, be appointed a committee to prepare and bring in the same.

Mr. Tomlinson, from the select committee appointed for that purpose, reported a bill for the benefit of certain persons.

Which was received and read the first time, as follows, viz:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the beneficiaries of the Education Society in connexion with Centre College, who contribute by their personal labor on the Society's farm, to their own support and tuition in said Collège, be and they are hereby exempt from working on the public highways, so long as they shall be under instruction in said College.

And thereupon the rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, which was decided in the negative.

And so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Forrest and Tomlinson, were as follows:

YEAS—Messrs. W. B. Allen, Burton, Butler, J. Calhoun, Combs, Field, Fisher, Harrison, Hawes, Head, Heady, Hise, Irwin, James, Jonas, Johnston, Laughlin, Love, M'Donald, C. S. Morehead, J. T. Morehead, Murphy, Oglesby, Parker, Parks, Robertson, Shanks, Thomas, Tomlinson, Venable, White, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson and Woolfolk—36.

NAYS—Messrs. Anderson, B. Allen, Barlow, Baily, Beaseman, Beall, Brown, Bruce, Burns, G. Calhoun, Cassidy, Chambers, Coleman, Cox, Daniel, Declary, Dougherty, Durham, Elliott, Forrest, Griffith, Guthrie, Hardy, Harlan Harris, Hays, Hill, Hughes, J. H. Jones, H. Jones, Kennedy, Lewright, M'Brayer, Mize, Morris, Owsley, Penn, Porter, Preston, Ray, Rice, Rodes, Shannon, Short, Sisk, Smith, Taylor, Walker, Wheeler, Wilcoxon, W. C. Wilson, Worthington, Wright and Yates—54.

Leave was given to bring in the following bills:

On the motion of Mr. W. C. Wilson—1. A bill to establish an election precinct in the county of Pendleton; and

On the motion of Mr. Dougherty—2. A bill to regulate the fees of constables, and for other purposes.

Messrs. W. C. Wilson, Jonas and Chambers, were appointed a committee to prepare and bring in the first; and Messrs. Dougherty, W. C. Wilson, B. Allen, Brown and Rodes, the second.

Mr. Rice, from the majority on the vote by which a bill from the Senate entitled "an act to declare the punishment for certain misdemeanors," was postponed until the first day of June next, moved a reconsideration of said vote.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Ordered, That said bill be placed in the orders of the day.

The amendments proposed by the Senate to a bill which originated in this House, entitled "an act for the benefit of the heirs of George Stipp, deceased, and of Mary Louisa Megowan," were twice read and concurred in.

Ordered, That the clerk inform the Senate thereof.

The House then, according to the standing order of the day, resolved itself into a committee of the whole House; Mr. C. Morehead in the chair; and after some time spent therein, the Speaker resumed the chair, and Mr. Morehead reported that the committee had according to order, had under consideration, the report of the committee of ways and means relative to an increase of the revenue tax, and the resolutions reported on that subject

by said committee, and had made some progress therein, but not having time to go through the same, had instructed him to ask for leave to sit again; which being granted,

The House then adjourned.

SATURDAY, JANUARY 16, 1830.

The House met pursuant to adjournment—

It was then moved and seconded, that the House do now resolve itself into a committee of the whole House, for the purpose of taking up for consideration "the report of the committee on internal improvements, on the subject of the Tariff laws and the power of Congress to make internal improvements within the several States."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Guthrie and Love, were as follows:

YEAS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Bailey, Beall, Beauchamp, Brown, Butler, J. Calhoun, Cox, Crow, Daniel, Declary, Field, Griffith, Harlan, Harris, Harrison, Hawes, Hays, Head, Irwin, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Laughlin, Love, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Owsley, Parker, Porter, Ray, Roberts, Robertson, Rodes, Shanks, Shannon, Short, Smith, Taylor, Thomas, Tomlinson, Venable, White, G. W. Williams, S. Williams, E. J. Wilson, Worthington, Wright and Yates—56.

NAYS—Messrs. Barlow, Beaseman, Boyd, Bruce, Burns, Burton, Cassidy, Chambers, Dougherty, Durham, Elliott, Forrest, Guthrie, Hardy, Heady, Hill, Hise, Hughes, James, Kouns, Lewright, McBrayer, McDonald, Mize, Parks, Penn, Preston, Rice, Rucker, Sisk, Walker, Wheeler, Wilcoxon, W. J. Williams, W. C. Wilson and Woolfolk—36.

The House then accordingly resolved itself into a committee of the whole House, Mr. J. Calhoun in the chair; and after some time spent therein, the Speaker resumed the chair, and Mr. Calhoun reported, that the committee had according to order, had under consideration the said report and resolutions, and had gone through the same with the following amendment:

Amend the first resolution (see printed Journals, page 153,) by striking out the second clause, containing the following words, to wit: "*And that the acts usually known by the name of Tariff laws are not only constitutional, but demanded by the best interests of the people of these States.*"

And by inserting in lieu thereof, the following words:

"*And that the acts of Congress usually known by the name of Ta-*

riff laws, are not only constitutional, but are founded upon principles of policy, demanded by the best interests of the people of these States."

Mr. Bruce then moved the following as a substitute for the first resolution, including the amendment proposed to the same by the committee after the enacting clause, viz:

That the power of Congress to lay and collect taxes, duties, imposts and excises, to pay the debts, provide for the common defence and general welfare of the United States, is unlimited and unrestricted, for those specific purposes; but the Legislature deny that Congress derive any power from the constitution to lay duties or imposts, with a view to prohibit importations, (either partially or generally,) thereby destroying both trade and revenue, only intended to be regulated; and that the powers of Congress are not general, *but special*, not omnipotent, but *limited and defined* by the constitution of the United States.

And the question being taken on the adoption thereof, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bruce and Rice, were as follows:

YEAS—Messrs. Beaseman, Boyd, Bruce, Cassidy, Chambers, Dougherty, Durham, Forrest, Penn, Sisk, Wilcoxon and W. C. Wilson—12.

NAYS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Barlow, Bailey, Beall, Beauchamp, Brown, Burns, Burton, Butler, G. Calhoun, J. Calhoun, Combs, Cox, Crow, Daniel, Declary, Elliott, Field, Fisher, Griffith, Guthrie, Hardy, Harlan, Harris, Harrison, Hawes, Hays, Head, Heady, Hill, Hise, Hughes, Irwin, James, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Kouns, Laughlin, Lewright, Love, McBrayer, McDonald, Mize, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Owsley, Parker, Parks, Porter, Preston, Ray, Rice, Roberts, Robertson, Rodes, Rucker, Shanks, Shannon, Short, Smith, Taylor, Thomas, Tomlinson, Venable, Walker, Wheeler, White, G. W. Williams, S. Williams, W. J. Williams, Woolfolk, Worthington, Wright and Yates—82.

The question was then taken on concurring in the amendment proposed by the committee of the whole to the first resolution, which was decided in the affirmative.

The question was then taken on the adoption of the first resolution, as amended, which was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hardy and Rice, were as follows:

YEAS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Barlow, Baily, Beall, Beauchamp, Brown, Burns, Burton, Butler, G. Calhoun, J. Calhoun, Cassidy, Combs, Cox, Crow, Daniel, Declary, Dougherty, Elliott, Field, Fisher, Griffith, Guthrie, Hardy, Harlan, Harris, Harrison, Hawes, Hays, Head, Heady, Hill, Hise, Hughes, Irwin, Jonas, Johnston, J. H. Jones, H. Jones, Ken-

nedey, Kouns, Laughlin, Lewright, Love, M'Brayer, McDonald, Mize, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Owsley, Parker, Parks, Porter, Preston, Ray, Rice, Roberts, Robertson, Rodes, Shanks, Shannon, Short, Smith, Taylor, Thomas, Tomlinson, Venable, Walker, Wheeler, White, G. W. Williams, S. Williams, W. J. Williams, Woolfolk, Worthington, Wright and Yates—32.

NAYS—Messrs. Beaseman, Boyd, Bruce, Chambers, Durham, Forrest, James, Penn, Rucker, Sisk, Wilcoxon and W. C. Wilson—12.

Mr. Guthrie, then moved to amend the second resolution by striking out the whole thereof, after the word "*Resolved*," and inserting in lieu thereof, the following words:

"That Congress have no power to establish roads and canals in the several States, other than post and military roads, and on those roads, have no power to erect toll gates or to collect tolls."

Mr. Hardy then moved to amend the amendment, by inserting after the word "*States*" the words "*without the consent of the States.*"

And the question being taken on adopting the amendment, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Hardy and Rice, were as follows:

YEAS—Messrs. Barlow, Beaseman, Burns, Burton, Cassidy, Chambers, Crow, Dougherty, Durham, Fisher, Forrest, Griffith, Guthrie, Hardy, Heady, Hill, Hise, Hughes, James, J. H. Jones, H. Jones, Lewright, McBrayer, McDonald, Mize, Parks, Penn, Porter, Preston, Rice, Roberts, Rucker, Sisk, Tomlinson, Walker, Wheeler, Wilcoxon, W. J. Williams, W. C. Wilson and Woolfolk—40.

NAYS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Bailey, Beall, Beauchamp, Brown, Bruce, Butler, G. Calhoun, J. Calhoun, Combs, Cox, Daniel, Declary, Elliott, Field, Harlan, Harris, Harrison, Hawes, Hays, Head, Irwin, Jonas, Johnston, Kennedy, Laughlin, Love, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Owsley, Parker, Ray, Robertson, Rodes, Shanks, Shannon, Short, Smith, Taylor, Thomas, Venable, White, G. W. Williams, S. Williams, Worthington, Wright and Yates—52.

The question was then taken on the adoption of the substitute proposed in lieu of the second resolution, which was decided in the negative.

The yeas and nays being required thereon by Messrs. Guthrie and Rice, were as follows:

YEAS—Messrs. Barlow, Beaseman, Boyd, Bruce, Burns, Burton, G. Calhoun, Cassidy, Chambers, Crow, Dougherty, Durham, Forrest, Griffith, Guthrie, Heady, Hill, Hughes, James, Lewright, McBrayer, McDonald, Mize, Parks, Penn, Preston, Rice, Roberts,

Rucker, Sisk, Tomlinson, Walker, Wheeler, Wilcozen, W. J. Williams, W. C. Wilson and Woolfolk—37.

NAYS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Bailey, Beall, Beauchamp, Brown, Butler, J. Calhoun, Combs, Cox, Daniel, Declary, Elliott, Field, Fisher, Harlan, Harris, Harrison, Hawes, Hays, Head, Irwin, Jonas, Johnston, H. Jones, Kennedy, Kouns, Laughlin, Love, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Owsley, Parker, Porter, Ray, Robertson, Rodes, Shanks, Shannon, Short, Smith, Taylor, Thomas, Venable, White, G. W. Williams, S. Williams, Worthington, Wright and Yates—54.

Mr. Hardy then moved to amend the said second resolution by adding thereto, the following words: "*But not erect gates or collect tolls.*"

And the question being taken on adopting the proposed amendment, it was decided in the negative.

Mr. Hise then moved to amend the said second resolution, by attaching thereto, the following proviso: "Provided the Congress of the United States, have no power to construct roads and canals in the States for other than military purposes and post roads; and no power to exercise a jurisdictional control over said roads and canals, without the consent of the States in which they may be constructed."

And the question being taken on adopting the proposed amendment, it was decided in the negative.

The question was then taken on adopting the second resolution, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. and Rice, were as follows:

YEAS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Bailey, Beall, Beauchamp, Boyd, Brown, Butler, J. Calhoun, Combs, Cox, Daniel, Declary, Elliott, Field, Fisher, Harlan, Harris, Harrison, Head, Hise, Irwin, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Laughlin, Love, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Owsley, Parker, Ray, Robertson, Rodes, Shanks, Shannon, Short, Smith, Taylor, Thomas, Venable, White, G. W. Williams, S. Williams, Worthington, Wright and Yates—52.

NAYS—Messrs. Barlow, Beaseman, Bruce, Burns, Burton, G. Calhoun, Chambers, Crow, Dougherty, Durham, Forrest, Griffith, Guthrie, Hardy, Hawes, Hays, Heady, Hill, Hughes, James, Kouns, Lewright, McBrayer, McDonald, Mize, Parks, Penn, Porter, Preston, Rice, Roberts, Rucker, Sisk, Tomlinson, Walker, Wheeler, Wilcozen, W. J. Williams, W. C. Wilson and Woolfolk—40.

The third and fourth resolutions were then adopted.

Mr. Hardy then moved to amend the preamble by striking out the following words, "*and the General Assembly of Kentucky cannot*

omit to avail itself of an occasion so appropriate, to call to its aid the often repeated sentiments of their most distinguished fellow citizen, Henry Clay, whose zealous and able exertions, and whose eminent services in support of both of those measures, have been equalled only by his ardent patriotism and his unbending integrity."

Mr. Fisher moved to amend the amendment by striking out only the following words, part of the same, retaining the remainder thereof, "*and the General Assembly of Kentucky cannot omit to avail itself of an occasion so appropriate to call to its aid."*

And the question being taken on this amendment, it was decided in the negative.

It was then moved and seconded, that the House do now again resolve itself into a committee of the whole House, for the purpose of taking into consideration the said report and resolutions.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burns and Forrest, were as follows:

YEAS—Messrs. Anderson, W. B. Allen, Baily, Beall, Beauchamp, Brown, Butler, G. Calhoun, J. Calhoun, Combs, Cox, Declary, Field, Fisher, Griffith, Guthrie, Hardy, Harlan, Harris, Harrison, Hawes, Hays, Head, Irwin, James, Jonas Johnston, J. H. Jones, H. Jones, Kennedy, Laughlin, Mize, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Owsley, Parker, Ray, Roberts, Robertson, Rodes, Shanks, Shannon, Short, Smith, Taylor, Thomas, White, G. W. Williams, S. Williams, Worthington, Wright and Yates—55.

NAYS—Messrs. Barlow, Beaseman, Boyd, Bruce, Burns, Burton, Cassidy, Chambers, Crow, Dougherty, Durham, Elliott, Forrest, Heady, Hill, Hise, Hughes, Kouns, Lewright, M^rBrayer, M^rDonald, Penn, Porter, Preston, Rice, Rucker, Sisk, Tomlinson, Walker, Wheeler, Wilcoxon, W. J. Williams, W. C. Wilson and Woolfolk—34.

The House accordingly resolved itself into a committee of the whole House, Mr. J. Calhoun in the chair; and after some time spent therein, the Speaker resumed the chair, and Mr. Calhoun reported that the committee had, according to order, had under consideration the said report and resolutions, and had gone through the same, and had directed him to report it without amendment.

Mr. Bruce then moved to amend said report, by striking out the following words: "*That the constitution of the United States was so understood and interpreted by many of its illustrious framers and their cotemporaries, is a fact demonstrable by unequivocal evidence. It would swell the argument unnecessarily on this point to offer at length the authorities that might be adduced in support of it. A brief abstract of the opinions of some of the most distinguished, is all that will be attempted."*

And the question being taken thereon, it was decided in the negative.

Mr. Hardy then moved to amend the said report by striking out the following words: "*And the General assembly of Kentucky cannot omit to avail itself of an occasion so appropriate, to call to its aid the often repeated sentiments of their most distinguished fellow citizen, Henry Clay, whose zealous and able exertions, and whose eminent services in support of both of those measures, have been equalled only by his ardent patriotism and his unbending integrity.*"

A message was then received from the Senate, announcing the passage of bills which originated in this House, of the following titles:

An act allowing additional justices of the peace and constables to certain counties.

An act to establish a State road from Berry's ferry on the Ohio river to Salem, and from Madisonville to Salem; and

An act to incorporate the Louisville Mutual Fire Insurance Company, with amendments to each; their concurrence in the amendments proposed by this House to a bill which originated in the Senate, entitled "an act to provide for opening a road from Floyd Court-house to Little Sandy Salt works, by way of Paintsville and Swetman's"; and the passage of bills of the following titles:

An act to remove the obstructions to the navigation of Rough creek, Pond river and Tradewater.

An act to alter the time of holding certain circuit courts.

An act to alter the time of holding the Hopkins county court; and

An act to incorporate the Hemp Manufacturing and Exporting Company.

And then the House adjourned.

MONDAY, JANUARY 18, 1830.

Mr. Barlow, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles and had found the same truly enrolled, viz:

An act to regulate attachments in civil cases.

An act for the benefit of Samuel Campbell, late sheriff of Caldwell county.

An act for the benefit of the heirs of George Walters, deceased.

An act to authorize the insertion of advertisements in the Winchester Republican, printed in Winchester.

An act for the benefit of Jesse Corum.

An act allowing additional constables to Washington and Owen counties.

An act for the benefit of Phebe Barnes and children.

An act to change a part of the State road in Morgan county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

Mr. Burns presented the petition of sundry citizens of Greenup and Lawrence counties, praying the establishment of the boundary line between said counties, according to the boundaries prayed for.

Which was received and referred to a select committee of Messrs. Burns, Kouns and Cassidy.

A message was received from the Senate announcing their concurrence in the amendments proposed by this House to bills which originated in the Senate of the following titles:

An act for the benefit of the Russellville Lodge, No. 17.

An act to provide for opening a road from Floyd Court-house to Little Sandy Salt Works by way of Paintsville and Swetman's.

The passage of bills which originated in this House, of the following titles:

An act allowing additional justices of the peace to certain counties.

An act for the benefit of Thomas I. Young.

An act to add a part of the county of Cumberland to the county of Monroe.

An act to amend the act entitled, an act to review a part of the State road leading from Franklin to Owenborough, approved January 7, 1829.

An act for the benefit of John Ferguson, of Muhlenberg county.

An act for the benefit of Charles H. Webb.

Their unanimous concurrence in a preamble and resolution which originated in this House, upon the subject of wharfage exacted by certain towns on the Mississippi river.

Their concurrence in the amendments proposed by this House, concurring in those proposed by the Senate to a bill which originated in this House, entitled an act to establish an election precinct in Fleming county, and for other purposes.

Their concurrence in the amendment proposed by this House to a bill from the Senate entitled "an act altering the time of holding the Washington circuit court," with an amendment.

And the passage of bills of the following titles:

An act to establish a State road from Smithland to Waidsboro; and

An act to authorize the Commonwealth to prosecute writs of error in certain cases, and for other purposes.

Mr. Love, from the committee of claims, to whom was referred a bill for the benefit of widows and orphans, reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time.

And thereupon, the rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate, and request their concurrence.

Mr. Guthrie, from the committee for courts of justice, to whom was referred a bill to alter the mode of summoning petit juries, reported the same without amendment.

Ordered, That the said bill be laid on the table, and that the public printer forthwith print 150 copies thereof for the use of the members.

Mr. Combs, from the committee of ways and means, to whom was referred a bill for the benefit of the Cumberland Hospital, reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time.

And thereupon, the rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate, and request their concurrence.

Mr. J. T. Morehead, from the committee on internal improvement, to whom was referred a bill for the purpose of turnpiking the road from Louisville to the Mouth of Salt river, reported the same without amendment.

Mr. Morehead, from the same committee, to whom was referred a bill from the Senate, entitled "an act to amend an act appointing commissioners to lay off and mark a State road from Harrodsburg to Smithland in Livingston county," approved February 9, 1828, reported the same without amendment.

The said bill was then ordered to be read a third time.

Mr. Morehead, from the same committee, made the following report:

The committee on internal improvements have had under consideration a resolution, instructing them to inquire into the expediency of removing the obstructions in main Licking river, from its mouth to Claysville, in Harrison county, so as to render it navigable for steam-boats, and have come to the following resolution thereon:

Resolved, That the committee be discharged from any further consideration of the subject.

Which being twice read, was concurred in.

Mr. Morehead, from the same committee to whom was referred a bill to incorporate a company to turnpike a road from Frank-

fort by way of Versailles to Lexington, reported the same without amendment.

It was then moved and seconded, to amend said bill by striking out the seventh section thereof, which was read as follows:

Sec. 7. *Be it further enacted*, That as soon as the said commissioners shall have obtained subscriptions to the amount of four hundred shares, they shall notify the Governor thereof, who shall thereupon, subscribe for and in behalf of the Commonwealth, one hundred shares to the capital stock of said company, and the Treasurer of the State, until otherwise directed by the General Assembly, shall attend by himself or by his proxy, at all the public meetings of the said company, and vote on behalf of the State, as other stockholders, and any money in the Treasury not otherwise appropriated, arising from dividends or distribution from the Bank of Kentucky or otherwise, is hereby appropriated to pay the instalments of the shares so subscribed for on the part of the State, as the said instalments from time to time shall be called for or become due: *Provided* that the Treasurer of this Commonwealth shall pay in no part or instalment of said stock hereby authorized to be subscribed, until it shall satisfactorily appear to him, that four times the amount required of him shall have been actually paid in by the other stockholders and the work actually commenced within two years from the first day of January, 1830, the subscription on behalf of this Commonwealth shall not be made.

And the question being taken on adopting the proposed amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Daniel and Brown, were as follows, viz:

YEAS—Messrs. Anderson, W. B. Allen, Barlow, Baily, Beaseman, Beall, Beauchamp, Boyd, Bruce, Burns, G. Calhoon, Cassidy, Chambers, Coleman, Cox, Crow, Daniel, Dougherty, Durham, Elliott, Fisher, Griffith, Hardy, Harlan, Harris, Harrison, Hawes, Hill, Hughes, Irwin, Jonas, J. H. Jones, H. Jones, Love, M'Donald, Mize, Murphy, Owsley, Penn, Porter, Preston, Ray, Rice, Roberts, Robertson, Rodes, Rucker, Short, Sisk, Smith, Tomlinson, Walker, S. Williams, W. J. Williams, W. C. Wilson, Wright and Yates—57.

NAYS—Messrs. Brown, Butler, J. Calhoon, Combs, Declary, Field, Guthrie, Heady, James, Kennedy, Lewright, M'Brayer, J. T. Morehead, Morris, Oglesby, Parker, Parks, Shannon, Taylor, Thomas, White, G. W. Williams and Woolfolk—23.

The said bill was then recommitted to the committee on internal improvements.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. J. Calhoon, from the committee of propositions and

grievances—1. A bill to establish an election precinct in Logan county, and for other purposes.

2. A bill appropriating some of the vacant lands in Laurel and Knox counties to the improvement of a road.

By Mr. Love, from the committee of claims—3. A bill for the appropriation of money.

By Mr. Guthrie, from the committee for courts of justice—4. A bill amending the law relating to the compensation of Commonwealth attorneys.

5. A bill to incorporate the Merchants' Louisville Insurance Company.

Which bills were severally received and read the first time and ordered to be read a second time.

And thereupon, the rule of the House, constitutional provision and second reading of said bills having been dispensed with; the first, second, fourth and fifth bills were severally ordered to be engrossed and read a third time; and the third was committed to a committee of the whole House for Thursday next.

And thereupon, the rule of the House, constitutional provision and third readings of the first, second and fifth bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

Mr. Morehead, from the committee on internal improvements, to whom was referred a bill supplemental to an act amendatory of an act incorporating certain turnpike roads, passed January 29, 1829, reported the same with an amendment.

Which being twice read, was concurred in.

The House resumed the consideration of the report and resolutions of the committee on internal improvements, which was the subject unfinished on Saturday last.

Mr. Hardy then obtained leave to withdraw his motion, the subject of consideration at the time of adjournment.

Mr. Hardy then moved to amend the said preamble by striking out that portion thereof, commencing (on page 152, Journal,) with the words "*the General Assembly, &c.*, the remainder of said preamble, and to insert in lieu thereof the following:

As the general assembly does not feel authorized to measure the extent of inference intended by the language used by the State of South Carolina "that Congress does not possess the power, under the constitution to adopt a general system of Internal Improvements as a national measure;" it is at a loss to answer it. If it is intended to deny to Congress the right to seize upon the lands of any one of the States without their consent, for the purpose of erecting Forts, Magazines, &c. this Legislature is ready to agree with them.

As to the second proposition, it is not known or believed that Congress has ever, in fact, taxed the citizens of one State to make roads and canals for another State. If that had been done, it would be admitted to be unconstitutional. Congress has applied a part of the common resources of the whole nation, to the execution of works of national improvement, which must of necessity, have fallen within the limits of one or more States; and such an application of them is believed to be strictly constitutional.

If the State of South Carolina meant to assert that the funds of the general government cannot be applied to a local object, because that object is within a particular State, it would deprive the government of some of its most important functions. Scarcely any State could suffer more by the adoption of such a principle, than South Carolina; since it would have deprived that State of its great part of those costly national works which are so essential to its defence, and which have been erected at the common expense of the other States and of South Carolina.

If it is intended by the third proposition, to deny to Congress the power to establish Post offices and Post roads, and to provide for the common defence and general welfare of the government, this Legislature does most earnestly dissent from that opinion. There are powers expressly enumerated in the constitution and vital to the security of the government, and necessarily, laws must pass, to make the provisions effectual. There are powers, although not expressly given to Congress, are yielded by the States, and must be exercised by implication only; hence the provision in the constitution, "that Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof." It is certainly important for the security of the government, that we have every preparation for the speedy transportation of the mail and of military stores, and whether it be on roads or canals, is a question of expediency only, and may be settled by taking into view not only the most practicable way to arrive at the object contemplated by the constitution, but the interest of the country through which it is to pass, in forming an easy transportation of their produce to market. It is not, however, intended by this Legislature to concede that Congress has power to erect toll gates or to collect tolls in any one of the United States.

Both of these measures which have been considered, have deep foundations in the convictions and in the affections of the people of Kentucky. Both are believed to be essential to the permanency and prosperity of the Union. Both are sanctioned by the opinions of many of the most venerable and illustrious of our statesmen and patriots, including General Washington, the first

President of the United States and the father of his country, and many others whose labours are well known to the people of the United States.

Entertaining these sentiments and views in relation to the subjects embraced in the resolutions of the State of South Carolina, and in the proceedings of the States of Virginia, Georgia and Mississippi, the general assembly has expressed them with all the courtesy and respect called for by the relation which subsists between members of a common political family, having a common interest in the perpetuation of the Republic; but at the same time, with the firmness and confidence arising from a consciousness of having truth and reason on its side.

A division of the question was called for, and the question was first put on striking out the part proposed, which was decided in the negative.

The yeas and nays being required thereon by Messrs. Love and Hardy, were as follows:

YEAS—Messrs. Barlow, Beaseman, Boyd, Bruce, Burns, G. Calhoun, Cassidy, Chambers, Coleman, Crow, Dougherty, Durham, Griffith, Guthrie, Hardy, Heady, Hill, Hise, Hughes, James, Kouns, Lewright, Long, McBrayer, McDonald, Mize, Parks, Penn, Porter, Preston, Rice, Roberts, Rucker, Sisk, Tomlinson, Walker, Wheeler, Wilcoxon, W. J. Williams, W. C. Wilson and Woolfolk—41.

NAYS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Bailey, Beall, Beauchamp, Brown, Butler, J. Calhoun, Combs, Cox, Daniel, Declary, Elliott, Field, Fisher, Harlan, Harris, Harrison, Hawes, Head, Irwin, Jonas, J. H. Jones, H. Jones, Kennedy, Laughlin, Love, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Owsley, Parker, Ray, Robertson, Rodes, Shanks, Shannon, Short, Smith, Taylor, Tibbatts, Venable, White, G. W. Williams, S. Williams, Worthington, Wright and Yates—51.

Mr. Boyd then moved to amend said preamble by striking out the following paragraph: "*And the General Assembly of Kentucky cannot omit to avail itself of an occasion so appropriate, to call to its aid the often repeated sentiments of their most distinguished fellow citizen, Henry Clay, whose zealous and able exertions and whose eminent services in support of both of those measures, have been equalled only by his ardent patriotism and his unbending integrity.*"

And the question being taken on the adoption of the proposed amendment, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Boyd and Rice, were as follows, viz.

YEAS—Messrs. Barlow, Beaseman, Boyd, Bruce, Burns, Cassidy, Chambers, Coleman, Crow, Dougherty, Durham, Elliott, Guthrie, Hardy, Heady, Hill, Hughes, James, Kouns, Lewright, Long, McBrayer, McDonald, Mize, Parks, Penn, Porter, Preston,

Rice, Roberts, Rucker, Sisk, Walker, Wheeler, Wilcoxon, W. J. Williams, W. C. Wilson and Woolfolk—38.

NAYS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Bailey, Beall, Beauchamp, Brown, Butler, G. Calhoun, J. Calhoun, Combs, Cox, Daniel, Declary, Field, Fisher, Griffith, Harlan, Harris, Harrison, Hawes, Head, Hise, Irwin, Jonas, J. H. Jones, H. Jones, Kennedy, Laughlin, Love, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Owsley, Parker, Ray, Robertson, Rodes, Shanks, Shannon, Short, Smith, Taylor, Thomas, Tibbatts, Tomlinson, Venable, White, G. W. Williams, S. Williams, Worthington, Wright and Yates—55.

It was then moved and seconded, to strike out the preamble to said resolutions.

And the question being taken thereon it was decided in the negative, and the preamble was adopted.

The yeas and nays being required thereon by Messrs. Guthrie and Burns, were as follows:

YEAS—Messrs. B. Allen, Barlow, Beaseman, Boyd, Bruce, Burns, Cassidy, Chambers, Coleman, Crow, Dougherty, Durham, Guthrie, Hardy, Heady, Hill, Hughes, James, Kouns, Lewright, Long, M'Brayer, McDonald, Mize, Parks, Penn, Porter, Preston, Rice, Roberts, Rucker, Sisk, Tomlinson, Walker, Wheeler, Wilcoxon, W. J. Williams, W. C. Wilson and Woolfolk—39.

NAYS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Baily, Beall, Beauchamp, Brown, Butler, G. Calhoun, J. Calhoun, Combs, Cox, Daniel, Declary, Elliott, Field, Fisher, Griffith, Harlan, Harris, Harrison, Hawes, Hays, Head, Hise, Irwin, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Laughlin, Love, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Owsley, Parker, Ray, Robertson, Rodes, Shanks, Shannon, Short, Smith, Taylor, Thomas, Tibbatts, Venable, White, G. W. Williams, S. Williams, E. J. Wilson, Worthington, Wright and Yates—58.

Ordered, That the clerk carry the said preamble and resolutions to the Senate and request their concurrence.

And then the House adjourned.

TUESDAY, JANUARY 19, 1830.

A message was received from the Senate announcing their disagreement to bills which originated in this House of the following titles;

An act for the benefit of James Ferguson; and

An act to divorce Agnes Street from her husband, John Street, and John Cochran and Catharine Cochran.

And the passage of bills of the following titles:

An act to amend the laws in relation to the trustees of towns, and for other purposes; and

An act to amend the act extending the limits of the town of Versailles, with amendments to the latter bill.

1. Mr. Smith presented the petition of E. Smith and others, praying that the House of Representatives would reconsider a vote given during the present session, by which the petition of James P. Carpenter, praying to be added to the county of Laurel, and Edmond Graham praying to be added to the county of Rockcastle, was rejected.

2. Mr. Murphy presented the petition of Julius Hacker, praying a divorce from his wife, Peggy Hacker.

3. Mr. Walker presented the petition of sundry citizens of Allen county, praying that an additional justice of the peace may be commissioned for said county.

Which petitions were severally received, the reading dispensed with and referred; the first and third to the committee of propositions and grievances; and the second to the committee of religion.

The House took up for consideration, a resolution from the Senate, fixing on a day for a final adjournment of the General Assembly.

Which was read as follows, viz.

In Senate, January 13, 1830.

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on Friday the 22d of this instant, they will adjourn without day.

Extract, &c. Att.

J. STONESTREET, c. s.

It was then moved and seconded, to strike out "*Friday the 22d.*"

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Anderson and Thomas, were as follows:

YEAS—Mr. Speaker, Messrs. W. B. Allen, Bailey, Beauchamp, Boyd, Brown, Bruce, Butler, G. Calhoun, Cassidy, Chambers, Coleman, Cox, Crow, Declary, Field, Fisher, Griffith, Hawes, Hays, Heady, Hise, James, Jonas, Johnston, H. Jones, Kennedy, Laughlin, Lewright, Love, McDonald, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Parker, Porter, Ray, Roberts, Rucker, Shannon, Short, Sisk, Smith, Taylor, Tibbatte, Tomlinson, Venable, G. W. Williams, E. J. Wilson, Woolfolk and Yates—53.

NAYS—Messrs. Anderson, B. Allen, Barlow, Beaseman, Beall, Burns, J. Calhoun, Dougherty, Durham, Elliott, Guthrie, Hardy, Harlan, Harris, Harrison, Head, Hill, Hughes, J. H. Jones, Kouns, McBrayer, Mize, Owsley, Penn, Preston, Rice, Robert-

son, Rodes, Thomas, Walker, Wheeler, Wilcoxon, S. Williams, W. J. Williams, W. C. Wilson, Worthington and Wright—37.

It was then moved and seconded, to lay the said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Burns and Parker, were as follows:

YEAS—Mr. Speaker, Messrs. Bailey, Beauchamp, Boyd, Butler, G. Calhoun, Griffith, Guthrie, Heady, Hise, James, Jonas, Laughlin, Lewright, McDonald, Morris, Oglesby, Parks, Ray, Roberts, Robertson, Rucker, Shannon, Smith, Taylor, Thomas, Tibbatts, G. W. Williams, E. J. Wilson and Yates—30.

NAYS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Beaseman, Beall, Brown, Bruce, Burns, J. Calhoun, Cassidy, Chambers, Coleman, Cox, Crow, Daniel, Declary, Dougherty, Durham, Elliott, Fisher, Hardy, Harlan, Harris, Harrison, Hawes, Hays, Head, Hughes, Johnston, J. H. Jones, H. Jones, Kennedy, Kouns, Love, McBrayer, Mize, C. S. Morehead, J. T. Morehead, Murphy, Owsley, Parker, Penn, Porter, Preston, Rice, Rodes, Short, Sisk, Tomlinson, Venable, Walker, Wheeler, Wilcoxon, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Worthington and Wright—60.

It was then moved and seconded, to postpone the said resolution until the 22d instant.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mize and Beall, were as follows:

YEAS—Messrs. Bailey, Beauchamp, Boyd, Butler, G. Calhoun, Cassidy, Chambers, Combs, Daniel, Declary, Field, Heady, Hise, James, Jonas, Laughlin, Lewright, McDonald, Oglesby, Roberts, Rucker, Shannon, Smith, Thomas, Tibbatts, Tomlinson, White, G. W. Williams, E. J. Wilson and Yates—30.

NAYS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Beaseman, Beall, Brown, Bruce, Burns, J. Calhoun, Coleman, Cox, Crow, Dougherty, Durham, Elliott, Fisher, Griffith, Hardy, Harlan, Harris, Harrison, Hawes, Hays, Head, Hill, Hughes, Irwin, Johnston, J. H. Jones, H. Jones, Kennedy, Kouns, Love, McBrayer, Mize, C. S. Morehead, J. T. Morehead, Morris, Murphy, Owsley, Parker, Parks, Porter, Preston, Ray, Rice, Robertson, Rodes, Short, Sisk, Taylor, Venable, Walker, Wheeler, Wilcoxon, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Worthington and Wright—62.

It was then moved and seconded, to fill the said blank with the "3d day of February."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Beaseman and Burns, were as follows:

YEAS—Messrs. W. B. Allen, Bailey, Beauchamp, Boyd, Butler, G. Calhoon, Chambers, Field, Griffith, Heady, Hise, James, Jonas, Lewright, M'Donald, Morris, Oglesby, Parker, Ray, Roberts, Shannon, Thomas, Tibbatts, Tomlinson, White, G. W. Williams, E. J. Wilson and Yates—28.

NAYS—Messrs. Anderson, B. Allen, Barlow, Beaseman, Beall, Brown, Bruce, Burns, J. Calhoon, Cassidy, Coleman, Combs, Cox, Crow, Daniel, Declary, Dougherty, Durham, Elliott, Fisher, Hardy, Harlan, Harris, Harrison, Hawes, Hays, Head, Hill, Hughes, Irwin, Johnston, J. H. Jones, H. Jones, Kennedy, Kouns, Laughlin, Love, M'Brayer, Mize, C. S. Morehead, J. T. Morehead, Murphy, Owsley, Parks, Porter, Preston, Rice, Robertson, Rodes, Rucker, Short, Sisk, Smith, Taylor, Venable, Walker, Wheeler, Wilcoxon, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Worthington and Wright—64.

The said blank was then filled with "*Friday the 29th instant.*"

It was then moved and seconded, to amend said resolution by adding thereto the following proviso: "*Provided the Legislature shall complete the important business before it by that time.*"

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. G. Calhoon and Beaseman, were as follows:

YEAS—Messrs. W. B. Allen, Bailey, Beauchamp, Boyd, Butler, G. Calhoon, Combs, Crow, Declary, Heady, Hise, Irwin, James, Jonas, Laughlin, Lewright, McDonald, Morris, Parker, Preston, Ray, Roberts, Rucker, Shannon, Thomas, Tibbatts, Tomlinson, White, E. J. Wilson, Woolfolk and Yates—31.

NAYS—Messrs. Anderson, B. Allen, Barlow, Beaseman, Beall, Brown, Bruce, Burns, J. Calhoon, Cassidy, Chambers, Coleman, Cox, Daniel, Dougherty, Durham, Elliott, Field, Fisher, Griffith, Hardy, Harlan, Harris, Harrison, Hawes, Hays, Head, Hill, Hughes, J. H. Jones, H. Jones, Kennedy, Kouns, Long, Love, McBrayer, Mize, C. S. Morehead, J. T. Morehead, Murphy, Oglesby, Owsley, Parks, Porter, Rice, Robertson, Rodes, Short, Sisk, Smith, Taylor, Venable, Walker, Wheeler, Wilcoxon, G. W. Williams, S. Williams, W. J. Williams, W. C. Wilson, Worthington and Wright—61.

The said resolution as amended, was then adopted.

Ordered, That the clerk inform the Senate thereof, and request their concurrence in said amendment.

Mr. Declary presented the petition of John Joyes, Esq. praying to be relieved from the disabilities incurred by a violation of the provisions of the act against duelling.

Which was received, read and referred to the committee for courts of justice.

Mr. J. Calhoun, from the committee of propositions and grievances, made the following report:

The committee of propositions and grievances have had under consideration the petition of sundry citizens of the town of Maysville, praying that a law may pass extending the limits of said town, and have come to the following conclusion thereon:

Resolved, That the petition be rejected.

Which being twice read and amended by striking out the words "*be rejected*" and inserting in lieu thereof the words "*is reasonable*," was concurred in.

Ordered, That the said committee prepare and bring in a bill pursuant to said resolution.

Mr. Guthrie, from the committee for courts of justice, to whom was referred a bill for the benefit of Edward Loe; a bill to authorize the copying of certain books in the Surveyor's office of Clay county; a bill for the benefit of Jarrett Willingham and James Lockridge, reported the same with amendments to each.

Which being severally twice read, were concurred in.

And the said bills as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass; that the titles of the first and second be as aforesaid; and that of the third be amended to read, "an act for the benefit of Jarrett Willingham."

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

Mr. Guthrie from the same committee, to whom was referred a bill from the Senate, entitled "an act repealing all laws allowing licenses to billiard table keepers, and for other purposes;" and a bill from the Senate, entitled "an act concerning the general court," reported the former without and the latter with an amendment.

Which being twice read, was concurred in.

The said bills were then ordered to be read a third time tomorrow.

On motion—

Ordered, That the committee for courts of justice be discharged from the further consideration of the petition of J. Warthen, and that the same be referred to a select committee of Messrs. Roberts, G. Calhoun, J. Calhoun and Hise.

Mr. Guthrie, from the committee for courts of justice, reported a bill for the benefit of Jacob Hobbs; which was received and read the first time and ordered to be read a second time.

And thereupon, the rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. Guthrie moved the following resolution:

Resolved, That it be a standing rule of this House, that when a bill or other matter shall be committed to a committee of the whole House, the question of going into the committee of the whole, shall be first in the orders of the day.

Which being twice read, was adopted.

A bill supplemental to an act amendatory of an act incorporating certain Turnpike Companies, passed January 29, 1829, was ordered to be engrossed and read a third time to-morrow.

The amendments proposed by the Senate to bills which originated in this House of the following titles, were twice read and concurred in, with an amendment to the amendment to the last bill, viz:

An act to amend the act extending the limits of the town of Versailles.

An act for the benefit of Richard Taylor and others.

An act in relation to the Georgetown and Cincinnati Turnpike.

An act to establish a State road from Berry's ferry, on the Ohio river, to Salem, and from Madisonville to Salem; and

An act to appoint additional justices of the peace and constables to certain counties.

Ordered, That the clerk inform the Senate thereof.

The amendment proposed by the Senate to that proposed by this House, to a bill from the Senate, entitled "an act to alter the time of holding the Washington circuit court;" was twice read and concurred in.

Ordered, That the clerk inform the Senate thereof.

The amendments proposed by the Senate to a bill which originated in this House, entitled "an act to incorporate the Louisville Mutual Fire Insurance Company," were twice read and disagreed to.

Ordered, That the clerk inform the Senate thereof and request a committee of conference on the subject of said amendments.

Engrossed bills of the following titles were severally read a third time, viz:

1. An act to Turnpike Muldrow's hill, on the main road leading from Lexington to Nashville, and for other purposes.

2. An act to incorporate a company to build a bridge across Salt river, at the town of Taylorsville.

The first was laid on the table.

It was then moved by Mr. Fisher, to amend the second bill by attaching thereto, the following engrossed clause by way of rider, viz: "Provided that the State shall receive of the proceeds of the revenue arising from the tolls received by said Bridge

Company at least six per centum per annum on the amount of stock subscribed for and in behalf of this Commonwealth."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Fisher and Burns, were as follows:

YEAS—Messrs. B. Allen, Barlow, Beaseman, Beall, Burns, Coleman, Daniel, Fisher, Hays, Irwin, H. Jones, Mize, Owsley, Ray, Rice, Rodes, Walker, White, S. Williams and Wright—20.

NAYS—Messrs. Anderson, Bailey, Beauchamp, Boyd, Brown, Bruce, Butler, Cassidy, Chambers, Combs, Cox, Crow, Declary, Dougherty, Durham, Elliott, Field, Griffith, Guthrie, Hardy, Harlan, Harris, Hawes, Head, Heady, Hill, Hise, Hughes, James, Johnston, Kennedy, Kouns, Laughlin, Lewright, Long, Love, McBrayer, McDonald, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Parker, Parks, Penn, Porter, Preston, Roberts, Robertson, Rucker, Shannon, Short, Sisk, Smith, Taylor, Thomas, True, Venable, Wheeler, Wilcoxon, G. W. Williams, W. J. Williams, W. C. Wilson, Woolfolk and Yates—66.

The question was then taken on the passage of said bill, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Beaseman and Daniel, were as follows:

YEAS—Mr. Speaker, Messrs. W. B. Allen, Bailey, Beall, Beauchamp, Brown, Burns, Butler, J. Calhoun, Cassidy, Chambers, Combs, Cox, Crow, Declary, Durham, Field, Guthrie, Head, Heady, Hise, James, Jonas, Johnston, H. Jones, Kennedy, Kouns, Lewright, Long, Love, M'Brayer, M'Donald, C. S. Morehead, J. T. Morehead, Oglesby, Parker, Parks, Porter, Preston, Roberts, Rodes, Rucker, Shannon, Short, Sisk, Smith, Taylor, Thomas, Tibbatts, Venable, Wheeler, White, Wilcoxon, G. W. Williams, E. J. Wilson, Woolfolk, Worthington and Yates—58.

NAYS—Messrs. Anderson, B. Allen, Barlow, Beaseman, Boyd, Bruce, Coleman, Daniel, Dougherty, Elliott, Griffith, Hardy, Harlan, Harris, Hawes, Hays, Hill, Hughes, Irwin, J. H. Jones, Mize, Morris, Murphy, Owsley, Penn, Ray, Rice, Robertson, True, Walker, S. Williams, W. J. Williams, W. C. Wilson and Wright—34.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

And then the House adjourned.

WEDNESDAY, JANUARY 20, 1830.

1. Mr. White presented the petition of sundry citizens of the City of Louisville, praying the amendment of the Charter of said City, so as to permit the citizens of said City to vote for members of the City Council by general ticket, instead of the present mode.

2. Mr. Guthrie presented the remonstrance of the City Council of Louisville, against the passage of a law repealing all laws altering the corporation of said city to grant licenses for selling lottery tickets.

3. Mr. Hawes presented the petition of Porter Clay, Auditor of public accounts, praying an increase of his salary.

Which petitions and remonstrance were severally received, the reading dispensed with and referred; the first and second to the committee of propositions and grievances; and the third to the committee of claims.

Mr. Barlow, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz.

An act for the benefit of James Breathitt.

An act for the benefit of John Ferguson of Muhlenberg county.

An act to amend the act entitled an act to review a part of the State road leading from Franklin to Owenborough, approved January 7, 1829.

An act to establish an election precinct in Fleming county, and for other purposes.

An act for the benefit of Thomas I. Young.

An act allowing additional justices of the peace to certain counties.

An act for the benefit of Charles H. Webb.

An act to add a part of the county of Cumberland to the county of Monroe.

An act for the benefit of the heirs of George Stipp, deceased, and of Mary Louisa Megowan.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

A message from the Senate by Mr. Pollard, assistant clerk:

Mr. Speaker—The Senate disagree to bills which originated in this house, of the following titles:

An act to amend civil proceedings.

An act for the benefit of the heirs of Stephen Thompson Mason, deceased; and

An act to appropriate certain vacant lands in this Commonwealth to the use of the Mountsterling Seminary.

They have passed bills which originated in this House, of the following titles:

An act to change the time of holding the Edmonson and Barren county courts, and for other purposes.

An act for the benefit of Jane Wright Latty and Nancy Davis Latty.

An act appropriating certain vacant lands to the improvement of the public roads, in the counties of Russell, Monroe, Allen and Cumberland.

An act for the benefit of Gabriel L. Bourland.

An act to appropriate some of the vacant land in Casey, Wayne and Russell counties to improve the roads in said counties; and

An act to provide for the erection of a bridge across the Kentucky river near the mouth of Benson, with amendments to the four latter bills.

And they have passed bills of the following titles:

An act for the benefit of the heirs of James Jennings, deceased.

An act to incorporate the Lexington and Ohio Rail Road Company; and

An act for the benefit of William K. Wall.

In which amendments and bills they request the concurrence of this House.

Mr. Jonas, from the joint committee appointed to examine the Register's office, made the following report:

The joint committee of the Senate and House of Representatives, appointed to examine and report the state of the Land Office, have performed the duty required and report,

That they find transmitted from the Virginia Land Office, surveys in bundles, numbered from 1 to 273, neatly and newly labelled, with an alphabet; also, 25 bundles, containing the caveated and defective surveys, on which grants have issued; 4 bundles caveated surveys, 2 bundles defective surveys, and 1 bundle of surveys mislaid from their proper bundles, all neatly and newly labelled and recorded in 11 volumes well bound, with a complete alphabet; 2 bundles of warrants located and mislaid, 1 bundle copies of wills, 16 volumes, the record of grants issued on the aforesaid surveys, in good order with a complete alphabet; the record of military warrants from the Virginia Land Office in 2 volumes with alphabets, in good order; a list of Virginia Treasury warrants in 2 volumes; the records of pre-emption warrants in 1 volume; and one volume containing the record of warrants under the proclamation of 1763, with alphabets and in good order; commissioners' certificates granted in 1779-80, in 3 volumes, with alphabets in good order; the sale books of non-resident's lands for the years 1800, 1, 2 and 4, have a new alphabet (though the books are somewhat worn;) the books in which the sales of 1805, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 are recorded, they find in good order with alphabets; 2 volumes in which surveys have been registered since 1792, in good order.

The said surveys are tied up in bundles numbered from 1 to 145, neatly labelled with an alphabet. The record of these surveys, together with the record of some grants in 11 volumes with an alphabet, in good order. The grants issued on the aforesaid surveys, are in 19 volumes, to which there is an alphabet in good order. The surveys on Headright claims are neatly registered in 3 volumes with two alphabets (one of which is somewhat worn.) The Headright plats and certificates of surveys are filed in bundles numbered from 1 to 312, neatly and newly labelled and are recorded in 17 volumes with two alphabets, in good order.— The grants issued thereon, are recorded in 28 volumes well bound, with two alphabets, in good order. Land warrants issued under the act of 1800, the surveys and grants on the same, as also the Tellico surveys and grants are in three volumes, they are registered in one volume, the original surveys tied up in 13 bundles neatly and newly labelled, all in good order; 9 bundles of certificates on which warrants have issued; 7 bundles certificates of sale of non-residents' lands on which deeds have issued; 1 bundle Attorney General's opinions to the Register; 3 bundles county court certificates; 7 bundles caveats since 1792; 4 bundles caveated surveys since 1792; 2 bundles of surveys not registered for want of fees since 1792; 1 bundle defective surveys since 1792; 39 bundles of vouchers, on which the late Kentucky land warrants have issued, all neatly and newly labelled and in good order; one volume containing the surveys under the proclamation of 1763, with an alphabet; 2 volumes of certificates granted in 1796; and 3 volumes in 1798, with alphabets; Anderson and Croghan's military entry books in two volumes, with alphabets; the transcript of Lincoln entries in 2 volumes, with an alphabet in good order; May's entries (so called) transcribed in 5 volumes with two alphabets in good order; 1 volume of Green's Deputy Register of surveys made previous to June 1792; one volume relinquishments in tolerable order; a list of Kentucky land warrants issued under the act of 1814, and subsequent acts in 2 volumes, and the record of said warrants in 10 volumes. The original surveys made on said warrants are tied up in 287 bundles neatly and newly labelled and recorded in 16 volumes well bound. The grants issued thereon recorded in 25 volumes, with 2 alphabets, in good order; the said surveys are neatly registered in 8 volumes, with two alphabets, in good order; 3 volumes in which caveats are recorded with alphabets; 11 books of original entries from the county of Fayette, neatly transcribed in 4 volumes, well bound with an alphabet, in good order, agreeably to an act of Assembly approved 5th January, 1824; one book of original entries from the county of Mercer, one from Bourbon and one from Nelson, have been returned by the surveyors of said counties to the Register's Office, agreeably to the requisitions of an act of Assembly, approved February 12th, 1820, all of which

books of entries are in order fit to be used. The surveyor of Jefferson county has failed to return the original entries of that county to the Register's Office, as your committee have been informed by the Register. One volume of military grants for land west of the Tennessee river; one volume in which the surveys of that land are registered, and one volume in which they are recorded; the surveys are neatly tied up in 6 bundles, each volume having a separate alphabet; one volume in which certificates of sales of land west of the Tennessee river are recorded; two volumes of grants issued thereon, with alphabets in good order; one volume of Henderson's field notes, (this book is not well bound;) one volume in which surveys of lands south of Walker's line are recorded; two volumes of grants; one volume in which the same are registered with alphabets in good order; the surveys of the lands are tied up in 19 bundles neatly labelled; one volume of the list of warrants south of Walker's line; one volume in which those warrants are recorded; one volume in which the surveys on forfeited lands are registered; one volume of the record of surveys; one volume of grants on the same, with alphabets in good order; 5 bundles certificates of sale of lands west of the Tennessee river, on which grants have issued neatly and newly labelled.

Your committee would here remark, that the alphabet to the Headright Register before spoken of as being somewhat worn, is also so much defaced from common use, that your committee are of opinion that it ought to be transcribed, which matter was by your former committee suggested to this House.

The Register exhibited great promptitude in attending to and assisting us in the necessary examination of his office and afforded every facility therein, that could have been asked. All of which is respectfully submitted.

Your committee are satisfied from the examination they have made, that the business in the Land Office since 1825, has greatly increased, owing principally to the reduction of the price of land warrants and the bringing into market, the lands in the State of Tennessee, south of Walker's line, and the lands west of the Tennessee river. Your committee are also satisfied that the Register pays about nine hundred dollars annually for clerks, owing to the increased labours of the office.

SAMUEL W. WHITE,	}	<i>Committee of Senate.</i>
WILLIS GRFEN,		
W. C. PAYNE,		
A. JONAS,		
WILLIAM SMITH,	}	<i>Committee of House Representatives.</i>
JAMES TRUE, JR.		
HUBBARD TAYLOR,		
JOHN LEWRIGHT,		

Mr. Jonas, from the same committee, presented the petition of the Register of the Land Office, praying an increase of salary.

Which was received, read and referred to a select committee of Messrs. Jonas, Tibbatts and Love.

Mr. Walker presented the petition of sundry citizens of this Commonwealth, praying the removal from office of Henry P. Broadnax, one of the circuit judges of this Commonwealth.

Which was received, read and laid on the table.

Mr. Rice moved the following resolution, viz.

Resolved, That the committee for courts of justice prepare and report a bill, providing that the occupant of lands shall not be compelled to pay rents to the successful claimant, where a recovery is had against such occupant; and he shall, by the occupant laws of this State, be entitled to pay for his improvements, until the successful claimant shall have paid or tendered the value of those improvements, or shall have given bond and security for the payment thereof, under the existing laws.

Which was read.

It was then moved and seconded, to lay the said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Burns and Coleman, were as follows, viz.

YEAS—Mr. Speaker, Messrs. Anderson, Baily, Beall, Brown, Butler, J. Calhoun, Combs, Cox, Daniel, Declary, Elliott, Field, Guthrie, Harlan, Harris, Harrison, Hawes, Hays, Head, Heady, Jonas, Johnston, H. Jones, Kennedy, Love, C. S. Morehead, J. T. Morehead, Morris, Owsley, Parker, Shanks, Shannon, Short, Taylor, True, Venable, G. W. Williams, E. J. Wilson, Worthington and Yates—41.

NAYS—Messrs. B. Allen, W. B. Allen, Barlow, Beaseman, Beauchamp, Boyd, Bruce, Burns, Cassidy, Chambers, Coleman, Crow, Dougherty, Durham, Fisher, Griffith, Hardy, Hill, Hise, Hughes, Irwin, James, J. H. Jones, Kouns, Laughlin, Lewright, Long, M'Brayer, McDonald, Mize, Murphy, Parks, Penn, Rice, Roberts, Rodes, Rucker, Sisk, Smith, Thomas, Tibbatts, Tomlinson, Walker, Wheeler, White, Wilcoxon, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk and Wright—51.

The said resolution was then adopted.

On the motion of Mr. Roberts—

Ordered, That leave be given to bring in a bill to repeal the 4th section of an act to change the time of holding certain courts in the seventh judicial district.

And that Messrs. Roberts, Guthrie, Love, Butler, J. Calhoun and Chambers be appointed a committee to prepare and bring in the same.

On the motion of Mr. M'Brayer—

Leave was given him to bring in a bill for the benefit of the heirs of James Frazier, deceased.

And the committee for courts of justice directed to prepare and bring in said bill.

A bill from the Senate, entitled an act to incorporate the Lexington and Ohio Rail Road Company, was read the first time and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision and second reading of said bill having been dispensed with, the same was committed to the committee on internal improvements.

Mr. J. T. Morehead, from the committee on internal improvement, to whom was referred a bill to incorporate a company to turnpike the road from Frankfort by way of Versailles to Lexington, reported the same with an amendment.

Which being twice read, was concurred in.

And the said bill as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate, and request their concurrence.

Mr. McDonald offered the following resolution:

Resolved, That it shall be the standing rule of this House the balance of this session to have a recess of one hour, to begin precisely at two o'clock.

Which being twice read was adopted.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By Mr. Guthrie—1. A bill for the benefit of the devisees of John Faris, deceased.

By Mr. Hawes—2. A bill concerning the Auditor's and Treasurer's offices, and for other purposes.

By Mr. Chambers—3. A bill to establish an election precinct in the county of Pendleton.

By Mr. Combs, from the committee of ways and means—4. A bill to amend the revenue laws of this Commonwealth.

5. A bill in relation to tavern keepers and retailers of spirituous liquors.

By Mr. Rucker—6. A bill to amend an act entitled, an act providing for the appointment of an engineer to survey the Kentucky, Licking and Green rivers.

By Mr. Tibbatts—7. A bill to incorporate the Licking River Navigation Company.

By Mr. Jonas—8. A bill further to regulate the salary of the Register of the Land Office.

By Mr. Roberts—9. A bill for the benefit of Thomas L. Wathen and Amelia Wathen.

By Mr. Butler—10. A bill to constitute a board of internal improvement for the county of Shelby.

By Mr. James—11. A bill for the benefit of the Mayfield baptist society of the county of Hickman.

By Mr. J. T. Morehead—12. A bill for the benefit of Gideon Granger.

By Mr. Dougherty—13. A bill to amend the law concerning constables.

By Mr. Burns—14. A bill defining and declaring the boundary line between Greenup and Lawrence counties.

By Mr. Barlow—15. A bill to amend the several laws regulating the collecting of the revenue and county levy of this Commonwealth.

Which bills were severally received and read the first time and (with the exception of the 13th, which was rejected,) ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second readings of said bills having been dispensed with; the 1st, 2d, 3d, 9th, 11th, 12th and 14th bills, were severally ordered to be engrossed and read a third time; the 4th and 5th were committed to a committee of the whole House; the 6th, 7th and 10th were committed to the committee on internal improvement; the 8th and 15th, to the committee of ways and means.

And thereupon the rule of the house, constitutional provision and third reading of the 1st, 2d, 3d, 9th, 11th, 12th and 14th bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

The amendments proposed by the Senate to bills which originated in this House of the following titles, were twice read and concurred in, viz.

An act for the benefit of the heirs of Benjamin Mason, dec'd.

An act to appropriate some of the vacant lands in Casey and Wayne counties, to improve the roads in said counties.

An act appropriating certain vacant land for the improvement of the public roads in Russell, Monroe, Allen and Cumberland counties.

An act for the benefit of Gabriel L. Bourland; and

An act to provide for the erection of a bridge across Kentucky river, near the mouth of Benson.

Ordered, That the clerk inform the Senate thereof.

An engrossed bill, entitled an act to provide for the erection of two bridges across Rockcastle river, was read a third time and amended by engrossed ryder.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill by Messrs. B. Allen and Rice, were as follows:

YEAS—Messrs. Anderson, Bailey, Beall, Beauchamp, Brown, Butler, Chambers, Combs, Cox, Crow, Daniel, Declary, Field, Guthrie, Harlan, Harris, Harrison, Hawes, Head, Heady, Jonas, H. Jones, Kennedy, Kouns, Laughlin, Love, McBrayer, McDonald, Mize, C. S. Morehead, Murphy, Parker, Porter, Preston, Rodes, Shanks, Shannon, Short, Smith, Taylor, Thomas, Tibbatts, Tomlinson, True, Venable, Wheeler, White, G. W. Williams, E. J. Wilson and Wright—50.

NAYS—Messrs. B. Allen, W. B. Allen, Barlow, Beaseman, Bruce, Burns, J. Calhoun, Cassidy, Coleman, Durham, Elliott, Fisher, Hardy, Hays, Hill, Hise, Hughes, Irwin, J. H. Jones, Morris, Owsley, Penn, Ray, Rice, Robertson, Rucker, Sisk, Walker, Wilcoxon, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk and Yates—34.

Ordered, That the clerk carry the said bill to the Senate, and request their concurrence.

An engrossed bill entitled an act to provide for building a bridge across Rough creek at Hartford, was read a third time.

It was then moved and seconded, to postpone the further consideration of said bill until the first day of June next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Yates and Crow, were as follows:

YEAS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Bailey, Beaseman, Beall, Beauchamp, Brown, Bruce, Burns, Cassidy, Chambers, Coleman, Combs, Cox, Daniel, Durham, Fisher, Harris, Harrison, Hawes, Hays, Hill, Hughes, Irwin, Jonas, J. H. Jones, M'Brayer, Mize, Morris, Murphy, Owsley, Parker, Penn, Ray, Rice, Robertson, Rodes, Thomas, True, Walker, Wheeler, S. Williams, W. J. Williams, E. J. Wilson, W. C. Wilson, Worthington Wright and Yates—50.

NAYS—Messrs. Butler, G. Calhoun, J. Calhoun, Crow, Declary, Elliott, Griffith, Guthrie, Harlan, Head, Heady, Hise, H. Jones, Kennedy, Laughlin, Lewright, Love, M'Donald, J. T. Morehead, Parks, Porter, Roberts, Rucker, Shanks, Shannon, Short, Sisk, Smith, Taylor, Tibbatts, White, Wilcoxon, G. W. Williams and Woolfolk—34.

It was then moved and seconded, at 2 o'clock, P. M. that this House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Harrison and Mize, were as follows, viz.

YEAS—Mr. Speaker, Messrs. Anderson, B. Allen, W. B. Allen, Beaseman, Beauchamp, Butler, Cassidy, Coleman, Dougherty,

Durham, Johnston, Love, C. S. Morehead, Murphy, Parker, Parks, Thomas, True, White, W. J. Williams, W. C. Wilson and Yates—23.

NAYS—Messrs. Barlow, Bailey, Beall, Brown, Burns, J. Calhoun, Chambers, Combs, Cox, Crow, Daniel, Declary, Elliott, Field, Fisher, Griffith, Harlan, Harris, Harrison, Hawes, Hays, Head, Heady, Hull, Hise, Hughes, Irwin, Jonas, J. H. Jones, H. Jones, Kennedy, Kouns, Laughlin, Lewright, Long, M'Brayer, M'Donald, Mize, Morris, Oglesby, Owsley, Penn, Porter, Preston, Rice, Rodes, Rucker, Shanks, Shannon, Short, Sisk, Smith, Taylor, Tibbatts, Venable, Walker, Wheeler, Wilcoxon, G. W. Williams, S. Williams, E. J. Wilson, Woolfolk, Worthington and Wright—64.

On motion—

Ordered, That the committee of claims be discharged from the further consideration of the petition of Porter Clay, and that the same be committed to the committee of ways and means.

Bills from the senate of the following titles were severally read the first time and ordered to be read a second time, viz.

1. An act to alter the time of holding the Bullitt circuit court.
2. An act to authorize James G. Lindsey of Campbell county, to remove his ferry,
3. An act for the benefit of William K. Wall.

And thereupon, the rule of the House, constitutional provision and second reading of said bills having been dispensed with, the same were referred to the committee for courts of justice.

The House took up for consideration, the resolution laid on the table by Mr. Jonas, offering a reward for a discovery of the cause and a specific cure for the disease called the milk sickness.

Which being twice read, was amended by striking out \$500 and inserting \$600.

The question was then taken on the adoption of said resolution.

Which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Harris and Jonas were as follows,

YEAS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Barlow, Bailey, Beall, Boyd, G. Calhoun, J. Calhoun, Chambers, Coleman, Cox, Declary, Dougherty, Elliott, Field, Fisher, Griffith, Guthrie, Harlan, Harrison, Hawes, Head, Heady, Irwin, James, Jonas, Johnston, H. Jones, Lewright, Love, McBrayer, M'Donald, C. S. Morehead, J. T. Morehead, Morris, Oglesby, Owsley, Penn, Preston, Ray, Short, Sisk, Smith, Taylor, Thomas, Tibbatts, Tomlinson, True, Venable, Wheeler, White, G. W. Williams, W. J. Williams, E. J. Wilson, W. C. Wilson, Woolfolk, Worthington, Wright and Yates—60.

NAYS—Messrs. B. Allen, Beaseman, Brown, Bruce, Burns, Butler, Cassidy, Daniel, Durham, Harris, Hays, Hill, Hughes, J. H. Jones, Kennedy, Kouns, Laughlin, Long, Mize, Murphy, Parker, Parks, Rice, Roberts, Rodes, Rucker, Walker and S. Williams—23.

Ordered, That the clerk carry the said resolution to the Senate and request their concurrence.

The following engrossed bills were severally read a third time:

1. An act for the benefit of the Shelbyville and Frankfort Turnpike Company.

2. An act declaring Salt river navigable.

3. An act to increase the liability of principals to their securities; and

4. An act to compel the sheriffs of this Commonwealth to pay the amount of venire claims to the holders thereof.

The first was committed to a select committee of Messrs. Butler, Shannon, Johnston and Guthrie; the second was laid on the table until the first day of June next.

And the question being taken on the passage of the third and fourth bills, it was decided in the negative.

And so the said bills were rejected.

And then the House adjourned.

THURSDAY, JANUARY, 21, 1830.

A message was received from the Senate by Mr. Stonestreet, their clerk:

Mr. Speaker—The Senate have received official information that the Governor has approved and signed enrolled bills and resolutions which originated in the Senate of the following titles:

An act for the benefit of Anner Taylor.

An act for the benefit of Mary Cale.

An act to declare the Bayou de Chien, Obion and Mayfields creeks navigable streams.

An act for the benefit of John Cottrel and others.

An act for the benefit of Henry Waddle.

An act for the benefit of the widow and heirs of Benjamin Mason, deceased.

An act to legalize the proceedings of the court of assessment in the third regiment of Kentucky militia.

An act to incorporate the trustees of the Union meeting house in Logan county, and of the Union meeting house in Russellville.

An act to incorporate the trustees of the Union meeting house in Warren county.

A resolution to appoint committees to examine the public offices.

An act to authorize the county court of Owen county to sell and convey the lot of ground on which the old jail stands.

An act to change a part of the State road in Morgan county.

An act for the benefit of Phebe Barnes and children.

An act to authorize the insertion of advertisements in the Winchester Republican, printed in Winchester.

An act for the benefit of the heirs of George Walters deceased.

An act for the benefit of Samuel Campbell, late sheriff of Caldwell county.

An act to regulate attachments in civil cases.

An act for the benefit of Jesse Corum.

An act to allow additional constables to Washington and Owen counties.

An act to allow an additional justice of the peace and constable for Garrard county.

They concur in the amendments proposed by this House to a bill from the Senate, entitled an act for the benefit of Thales Huston.

They concur in the amendments proposed by this House to resolutions from the Senate of the following titles:

A resolution fixing a day for the election of public officers; and

A resolution fixing on a day for the adjournment of the General Assembly.

They concur in the amendments proposed by this House to those proposed by the Senate to a bill which originated in this House, entitled an act allowing additional justices of the peace and constables in certain counties.

They have passed bills which originated in this House of the following titles:

An act for the benefit of Francis Maraman and others.

An act for the purpose of opening a road from Bell's in Barren county, to the cross-roads near the Simpson county line and the Tennessee State line.

An act for the benefit of John L. Elliott.

An act for the benefit of Wayne and Russell counties.

An act requiring the clerk of the Court of Appeals to deliver over certain records to the Register of the Land Office; and

An act for the benefit of Polly Flowers. With amendments to the three latter bills.

And they have passed bills of the following titles:

An act to amend the law in relation to taking depositions.

An act to extend the Turnpike and Wilderness road to Crab Orchard.

An act to change a part of the boundary line between Rockcastle and Laurel counties.

An act for the benefit of the widow and heirs of Robinson Shelburne, deceased; and

An act for the benefit of John Hogan. In which amendments and bills they request the concurrence of this House.

Mr. Barlow, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act in relation to the Georgetown and Cincinnati Turnpike.

An act for the benefit of Richard Taylor and others.

An act to establish a State road from Berry's ferry on the Ohio river, to Salem, and from Madisonville to Salem.

An act for the benefit of Azra Offutt.

An act concerning the public highways in the county of Fayette, and for other purposes.

An act for the benefit of Russellville Lodge, No. 17.

An act to amend an act to incorporate certain Turnpike Road Companies, approved January 29, 1829.

An act for the benefit of the settlers west of the Tennessee river.

An act to provide for opening a road from Floyd Court-house, to Little Sandy Salt Works by way of Paintsville and Swetmans.

Also, a joint resolution upon the subject of the wharfage exacted by certain towns on the Mississippi river.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

Mr. Hardy presented the petition of Thomas Freeman, praying that a law may pass to authorize the Bank of the Commonwealth to loan to him the sum of \$1500 in the paper of said Bank.

Which was received, read and referred to the committee of ways and means.

Mr. Guthrie, from the committee for courts of justice, to whom was referred the following bills from the Senate:

An act to change the time of holding the Bullitt circuit court.

And an act for the benefit of William K. Wall:

Reported the former with an amendment and the latter without amendment.

The said amendment being read was concurred in; and the said bills as amended, ordered to be read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the said bills do pass, the former as amended.

Ordered, That the clerk inform the Senate thereof, and request their concurrence in the amendments to the former bill.

Mr. Guthrie, from the same committee, to whom was referred a bill from the Senate, entitled "an act to authorize James G. Lindsey of Campbell county, to remove his ferry," reported the same without amendment.

The said bill having been amended, was ordered to be read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill as amended, do pass.

Ordered, That the clerk inform the Senate thereof and request their concurrence in said amendment.

On motion—

Ordered, That the committee for courts of justice be discharged from the further consideration of leave to bring in a bill for the benefit of James Frazer's heirs, and that Messrs. Barlow, Brown, Combs, Love and McBrayer, be appointed a committee to prepare and bring in said bill.

Ordered, That the committee for courts of justice be discharged from the further consideration of the petition of the citizens of Louisville, praying amendments to the City Charter.

Mr. Guthrie, from the same committee, to whom was referred "a bill requiring public warehouse keepers to execute bond with approved security to the county court of their respective counties, for all property stored with them, and for other purposes," reported the same with an amendment.

Which being twice read, was concurred in; and the said bill, as amended, ordered to be engrossed and read a third time to-morrow.

Mr. Guthrie, from the same committee, to whom was referred, a bill providing for the sale of the real estate of infants, for payment of taxes and debts, reported the same without amendment.

And the question being taken on engrossing the said bill and reading it a third time, it was decided in the negative; and so the said bill was rejected.

Mr. Guthrie, from the same committee, to whom was referred, a bill from the Senate, entitled "an act to amend the laws in relation to crimes committed on the Ohio, Mississippi and Big Sandy rivers," reported the same without amendment.

Resolved, That said bill, as amended, do pass.

Ordered, That the clerk inform the Senate thereof, and request their concurrence in said amendment.

Mr. Kennedy, from the committee of religion, made the following report:

The committee of religion have according to order, had under their consideration, sundry petitions to them referred, and have come to resolutions:

Resolved, That the petition of Solomon Keel and his wife, Ormanuda Keel, be rejected.

Resolved, That the petition of Julius Hacker be rejected.

Which being twice read, was concurred in.

Mr. Combs, from the committee of ways and means, to whom was referred, "a bill further to regulate the salary of the Regis-

ter of the Land Office," reported the same with the following amendment in lieu of the original bill, viz:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter, the Register of the Land Office shall not be required to pay into the Treasury the fees received in his office, but shall apply the same to the payment of a competent clerk or clerks, to be employed in said office: *Provided*, that the amount so appropriated, shall not exceed the sum of five hundred dollars annually.

Sec. 2. *Be it further enacted*, That to enable the Auditor of public accounts to employ an additional clerk to perform the duties required by "an act requiring certain duties of the clerks of this Commonwealth" and other *ex-officio* duties required of him during the session of the Legislature, he shall be paid in addition to his present salary, the sum of five hundred dollars payable quarter annually.

It was then moved and seconded, to postpone the further consideration of said bill and amendment, until the first day of June next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. B. Allen and Daniel, were as follows:

YEAS—Messrs. Anderson, B. Allen, Barlow, Beaseman, Bruce, Burns, Cassidy, Coleman, Daniel, Dougherty, Durham, Field, Fisher, Harlan, Harris, Hays, Heady, Hill, Hughes, Irwin, J. H. Jones, H. Jones, Kouns, Long, McBrayer, McDonald, Mize, Murphy, Parks, Penn, Preston, Ray, Rice, Rodes, Rucker, Sisk, Thomas, Tomlinson, Walker, Wheeler, Wilcoxon, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Wright and Yates—47.

NAYS—Mr. Speaker, Messrs. Bailey, Beall, Beauchamp, Boyd, Brown, Butler, J. Calhoun, Chambers, Combs, Cox, Crow, Declary, Elliott, Griffith, Guthrie, Harrison, Hawes, Head, Jonas, Johnston, Kennedy, Laughlin, Lewright, Love, C. S. Morehead, J. T. Morehead, Morris, Oglesby, Owsley, Parker, Robertson, Shanks, Shannon, Short, Smith, Taylor, Tibbatts, True, Venable, White, G. W. Williams, E. J. Wilson and Worthington—44.

A message from the Senate by Mr. Stonestreet, their clerk.

Mr. Speaker—The Senate have appointed a committee of conference on their part on the subject of the amendments proposed by the Senate to a bill which originated in this House, entitled "an act to incorporate the Louisville Mutual Fire Insurance Company."

And they have passed bills which originated in this house of the following titles:

An act for the benefit of the Shareholders in the Louisville Insurance Company.

An act for the benefit of the devisees of Benjamin Threikeld and Plummer Thurston.

An act to incorporate the Merchants' Louisville Insurance Company.

With amendments to the two latter bills. In which amendments they request the concurrence of this House.

The said amendments were then taken up, twice read and concurred in.

Ordered, That the clerk inform the Senate thereof.

Mr. J. T. Morehead, from the committee on internal improvements, to whom was referred a bill from the Senate, entitled "an act to incorporate the Lexington and Ohio Rail Road Company," reported the same without amendment.

The said bill was then ordered to be read a third time.

Mr. Morehead, from the same committee, to whom was referred a bill to constitute a board of internal improvements for Shelby county, reported the same with amendments, which being severally twice read, were concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time to-morrow.

Mr. Morehead, from the same committee, to whom was referred a bill for the purpose of improving the road at Little Barren river, reported the same without amendment.

And the question being taken on engrossing the said bill and reading it a third time, it was decided in the negative.

And so the said bill was rejected.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By Mr. J. Calhoun, from the committee of propositions and grievances—1. A bill to extend the boundaries of the town of Maysville; and

2. A bill allowing an additional justice of the peace for the county of Allen.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision and second and third readings of the second bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. Barlow, from the joint committee of enrollments, reported that the committee had examined an enrolled bill and resolution of the following titles:

An act to alter the time of holding the Washington circuit court; and

A resolution fixing on a day for the election of public officers.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

Mr. C. S. Morehead, from the committee on education, to whom was referred a bill supplementary to an act entitled "an act to encourage the general diffusion of education in this Commonwealth, by an uniform system of public schools," reported the same with sundry amendments.

Which being twice read, were concurred in.

Mr. B. Allen then moved to postpone the further consideration of said bill until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tibbatts and Irwin, were as follows:

YEAS—Messrs. B. Allen, Barlow, Beauchamp, Burns, G. Calhoun, Cassidy, Daniel, Durham, Elliott, Harris, Heady, Hill, Hughes, Irwin, H. Jones, McBrayer, Mize, Parks, Preston, Ray, Rodes, Short, Sisk, Walker, S. Williams, W. J. Williams, Wright and Yates—28.

NAYS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Bailey, Beaseman, Beall, Boyd, Brown, Bruce, Butler, J. Calhoun, Coleman, Combs, Cox, Crow, Declary, Field, Fisher, Griffith, Guthrie, Harlan, Harrison, Hawes, Hays, James, Jonas, J. H. Jones, Kennedy, Kouns, Laughlin, Lewright, Long, Love, McDonald, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Parker, Penn, Rice, Robertson, Rucker, Shanks, Shannon, Smith, Taylor, Thomas, Tibbatts, True, Wheeler, White, Wilcoxen, G. W. Williams, E. J. Wilson, W. C. Wilson and Worthington—58.

The reading of the eleventh section of said bill having been called for, the same was read as follows, viz:

Sec. 11. That each school district constituted in this Commonwealth under the provisions of an act to which this is a supplement, may annually in the month of _____ select from the children at school in their district over the age of _____ years, one individual, having a regard to his talents and application, whose name shall be placed before their next county court, and it shall be the duty of the county court to select by lot from the whole number of names thus presented to them, a number of names corresponding with the representation from such county in the House of Representatives of this Commonwealth, and to forward forthwith to the President of Transylvania University, the names of the individuals so chosen, whose duty it shall be to admit such persons as students in the University for four years next after the

first day of January after such allotment, and the tuition of such students shall be paid to the University by this Commonwealth.

It was then moved and seconded to amend said bill by striking out the said section.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Wheeler and Tibbatts, were as follows:

YEAS—Mr. Speaker, Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Bailey, Beall, Beauchamp, Boyd, Burns, Butler, G. Calhoun, Cassidy, Chambers, Cox, Crow, Daniel, Declary, Dougherty, Durham, Elliott, Field, Fisher, Griffith, Guthrie, Harlan, Harris, Harrison, Hays, Head, Heady, Hill, Hughes, Irwin, H. Jones, Kennedy, Kouns, Laughlin, Lewright, Long, Love, M'Brayer, M'Donald, Mize, J. T. Morehead, Morris, Oglesby, Parker, Parks, Penn, Preston, Ray, Rice, Rodes, Rucker, Shannon, Short, Sisk, Smith, Taylor, Thomas, Tomlinson, Walker, Wheeler, Wilcoxon, S. Williams, W. J. Williams, W. C. Wilson, Worthington, Wright and Yates—71.

NAYS—Messrs. Beaseman, Brown, Coleman, Hawes, James, Jonas, J. H. Jones, C. S. Morehead, Murphy, Robertson, Shanks, Tibbatts, True, White, G. W. Williams and E. J. Wilson—16.

A further amendment having been moved to said bill; the orders of the day were called for and taken up for consideration.

The House then, according to the standing order of the day, resolved itself into a committee of the whole House, Mr. Guthrie in the chair; and after some time spent therein, the Speaker resumed the chair and Mr. Guthrie reported that the committee had according to order had under consideration, a bill from the Senate, entitled "an act to regulate the Bank of the Commonwealth," and had made some progress therein; but not having time to go through the same, had instructed him to ask for leave to sit again. Which being granted,

The House then adjourned.

FRIDAY, JANUARY 22, 1830.

On motion—

Ordered. That Messrs. White, Guthrie, Declary and Butler be appointed a committee on the part of this House, on the subject of the amendments proposed by the Senate to a bill which originated in this House, entitled "an act to incorporate the Louisville Mutual Fire Insurance Company, and that Mr. White inform the Senate thereof.

1. Mr. Rucker presented the petition of James Morse, praying that a law may pass authorizing him (as Sheriff of Caldwell county,) and his deputies, to collect the revenue and county levy

of said county, and also their fee bills and the militia fines for the year 1825, he having paid the same without having collected them.

2. Mr. Shanks presented the petition of sundry citizens of the 6th Judicial district, praying the removal from office of the circuit judge of said district.

Which petitions were severally received, the reading dispensed with and the first referred to the committee of courts of justice; and the second laid on the table.

A message from the Senate by Mr. Pollard, assistant clerk:

Mr. Speaker—The Senate have disagreed to bills which originated in this House of the following titles:

An act further to regulate the Bank of Kentucky.

An act to prohibit justices of the peace of this Commonwealth from receiving money on judgments by them rendered.

And they have passed bills which originated in this house of the following titles:

An act to amend the several acts incorporating the Louisville Turnpike company, and for other purposes; and

An act to incorporate a company to erect a bridge across Licking river, between the towns of Newport and Covington.

With amendments to each; in which they request the concurrence of this House.

Mr. Barlow, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Merchants' Louisville Insurance Company.

An act for the benefit of Thales Huston and others; and

An act for the benefit of William K. Wall.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

Mr. Combs, from the select committee, to whom was referred, a bill for the benefit of the Louisville Hospital, reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time to-morrow.

Mr. Butler, from the select committee to whom was referred, an engrossed bill for the benefit of the Frankfort and Shelbyville Turnpike Road Company, reported the same with an amendment.

Which being twice read was concurred in.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. Hawes, from the select committee to whom was referred a bill to provide for surveying and improving the road from the

mouth of Big Sandy river to Lexington, reported the same with amendments.

Which being severally twice read, were concurred in, and the said bill, as amended, ordered to be engrossed and read a third time to morrow.

Mr. Fisher from the select committee to whom was referred a bill from the Senate entitled, an act to change the name and to authorize the election of trustees to the town of Connersville in Boone county, reported the same with amendments.

Which being twice read, were concurred in, and the said bill, as amended, ordered to be read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill being dispensed with,

Resolved, That the said bill, as amended, do pass.

Ordered, That the clerk inform the Senate thereof, and request their concurrence in said amendment.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Barlow—1. A bill for the benefit of the heirs of James Frazier, deceased.

By Mr. Wilson—2. A bill to incorporate the Bryant's station Turnpike Road Company.

By Mr. Roberts—3. A bill to appropriate the fines and forfeitures of Hardin county, to the use of the Elizabethtown Academy, and for other purposes.

Which bills were severally received and read the first time and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision and second reading of said bills having been dispensed with, the first and third were ordered to be engrossed and read a third time; and the second was committed to the committee on internal improvements.

And thereupon the rule of the House, constitutional provision and third reading of the 1st and 3d bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

Mr. Hawes, from the majority on the vote by which an engrossed bill entitled "an act to provide for the erection of a bridge across Rough creek at the town of Hartford," was postponed until the first day of June next, moved that said vote be re-considered.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Yates and Crow, were as follows, viz:

YEAS—Messrs. B. Allen, Beaseman, Brown, Butler, G. Calhoun, J. Calhoun, Cassidy, Chambers, Coleman, Crow, Elliott, Field, Griffith, Guthrie, Hardy, Harlan, Harrison, Hawes, Head, Heady, Hise, Irwin, James, Johnston, Kennedy, Kouns, Laughlin, Lewright, Love, McBrayer, McDonald, Mize, C. S. Morehead, Oglesby, Parks, Porter, Preston, Rice, Rucker, Shanks, Shannon, Short, Sisk, Smith, Taylor, Thomas, Tibbatts, Venable, Wheeler, Wilcoxon, G. W. Williams and W. C. Wilson—52.

NAYS—Mr. Speaker, Messrs. Anderson, Barlow, Bailey, Beall, Bruce, Combs, Cox, Daniel, Declary, Dougherty, Fisher, Harris, Hays, Jonas, J. H. Jones, H. Jones, Long, Morris, Murphy, Owsley, Parker, Robertson, Rodes, Tomlinson, True, Walker, S. Williams, W. J. Williams, E. J. Wilson, Woolfolk, Wright and Yates—33.

The said bill was then postponed for the present.

The amendments proposed by the Senate to bills which originated in this House of the following titles, were twice read and concurred in, viz:

An act for the benefit of Wayne and Russell counties.

An act requiring the clerk of the Court of Appeals, to deliver over certain records to the Register of the Land Office.

An act to amend the several acts incorporating the Louisville Turnpike Company, and for other purposes.

An act for the benefit of Polly Flowers.

An act to incorporate a company to erect a bridge across Licking river, between the towns of Newport and Covington.

Ordered, That the clerk inform the Senate thereof.

The following bills from the Senate were severally read a third time:

1. An act to incorporate the Lexington and Ohio Rail Road Company.

2. An act to amend an act appointing commissioners to lay off and mark a State road from Harrodsburg to Smithland in Livingston county, approved February 9, 1828.

3. An act concerning the General Court.

Resolved, That said bills, as amended, do pass.

Ordered, That the clerk inform the Senate thereof and request their concurrence in the amendments proposed to the latter bill.

A bill from the Senate entitled "an act to regulate the fees of the clerk of the Court of Appeals and other clerks," was read a third time as amended.

It was then moved and seconded, to attach to said bill the following engrossed clause, by way of rider, viz:

Be it further enacted, That so much of the act of 1819, as gives to justices of the peace any fee or fees for issuing warrants, recording and rendering judgments, or for any other services, except for attending to take depositions and superintending a warrant of forcible entry and detainer, be and the same is hereby

repealed. And hereafter, no justice of the peace shall charge or receive any fee for any services by him performed, except in the cases above specified.

And the question being taken on adopting the said amendment as a ryder to the bill, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Rodes and Parker, were as follows:

YEAS—Messrs. Cassidy, Long, Preston, Rodes and Wilcox—5.

NAYS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Barlow, Bailey, Beaseman, Beall, Beauchamp, Boyd, Brown, Bruce, Burus, Butler, G. Calhoon, J. Calhoon, Chambers, Combs, Cox, Crow, Daniel, Declary, Durham, Elliott, Field, Griffith, Guthrie, Hardy, Harlan, Harris, Harrison, Hawes, Hays, Head, Heady, Hill, Hughes, Irwin, James, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Laughlin, Love, McBrayer, McDonald, Mize, Morris, Murphy, Oglesby, Owsley, Parker, Parks, Penn, Porter, Roberts, Robertson, Rucker, Shannon, Short, Sisk, Smith, Taylor, Thomas, Tibbatts, Tomlinson, True, Venable, Walker, Wheeler, White, G. W. Williams, S. Williams, E. J. Wilson, W. C. Wilson, Woolfolk, Worthington, Wright and Yates—80.

Resolved, That the said bill as amended, do pass.

Ordered, That the clerk inform the Senate thereof, and request their concurrence in said amendment.

Leave was given to bring in the following bills:

On the motion of Mr. White—1. A bill to incorporate the Louisville and Shelbyville Rail Road Company.

On the motion of Mr. Tomlinson—2. A bill to exempt the United States' Mail carriers, from the payment of toll on the Turnpike and Wilderdess road.

On the motion of Mr. Roberts—3. A bill to appropriate the fines and forfeitures of Hardin county, to the use and benefit of the Elizabethtown Seminary.

On the motion of Mr. Hill—4. A bill for the improvement of the road from Somerset, Putaski county, by way of Smith's ferry, to Mossy Creek Iron Works in Tennessee.

On the motion of Mr. Murphy—5. A bill to incorporate the town of Manchester, in Clay county, and for other purposes.

On the motion of Mr. Coleman—6. A bill to provide for the improvement of the road from Georgetown to Augusta, by way of Leesburg, Cynthiana and Claysville.

On the motion of Mr. Barlow—7. A bill to allow individuals at whose houses elections for election precincts are held, the privileges of tavern keepers.

On the motion of Mr. Cox—8. A bill to repeal the law allowing pay for wolf-scalps.

Messrs. White, Declary, Guthrie, Butler, Johnston and Shannon, were appointed a committee to prepare and bring in the

first; Messrs. Tomlinson, Murphy, Love and Worthington, the second; Messrs. Roberts, G. Calhoun and J. Calhoun, the third; Messrs. Hill, Walker and Irwin, the fourth; Messrs. Murphy, Walker and Love, the fifth; Messrs. Coleman, Beaseman, Morris and Wilson, the sixth; Messrs. Barlow, Hardy, Preston and Walker, the seventh; and Messrs. Cox, Beall, Shannon and Johnston, the eighth.

Mr. Hawes read and laid on the table, the following resolution:

Resolved by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the President and Directors of the Bank of Kentucky, from time to time, to reduce the salaries of their Cashier, Clerk and Agents, as their labour and services may be reduced; and the said Agents shall not receive more than two dollars and fifty cents each, for each day they may be actually engaged in the service of said Bank, in addition to their travelling expences: *Provided,* that the per diem allowance and other travelling expenses and charges of each Agent shall not exceed one thousand dollars.

Mr. Smith read and laid on the table, the following resolution:

Whereas, it is represented to the General Assembly of the Commonwealth of Kentucky, that the question involving the constitutionality of the limitation, commonly called "the seven years limitation law," is now pending in the Supreme Court of the United States, and will affect in its decision the dearest rights and best interests of the people of Kentucky, insomuch that if the law is declared unconstitutional and void, it will open the door to champerty speculators, and others, holding old and dormant patents, to bring them forth against the honest purchaser and occupant of the soil, when by said act, his domicile would be protected, and at a time too perhaps when the witnesses whose testimony would go to support the equitable and better title of the occupant, have been removed by death, and will renew in a great degree land litigation, with which the people of Kentucky have been so grievously and severely visited.

And whereas, the suit of Barney's heirs against Hawkins, involving the question, is now pending in said court, it behooves this Legislature, in defence of the sovereign power of the State, and the protection of her citizens, that an ex parte hearing and decision should not, as was done in the first instance in the case of Green against Biddle, to provide able and faithful counsel to defend the law aforesaid, and thus prevent any mismanagement of the case by the parties, in which thousands are deeply interested; Therefore,

Resolved by this General Assembly, That be earnestly requested to appear in said cause on the part of the State of Kentucky, and defend the constitutionality of said law.

Resolved, That it is the opinion of this Legislature, that said law is constitutional and valid.

Resolved, That the Governor of this Commonwealth be requested to transmit to _____ and _____ copies of the foregoing preamble and resolutions.

Mr. James read and laid on the table, the following resolution:

Resolved, That the committee of courts of justice be instructed to inquire into the expediency and propriety of passing a law, more effectually perfecting titles to lands west of the Tennessee river.

Engrossed bills of the following titles, were severally read a third time:

1. An act for the benefit of Nicholas Hocker and Charles Wallace.

2. An act to amend the election laws of this State; and

3. An act allowing a representative to the city of Louisville.

Resolved, That the said bills do pass, and that the titles of the first and second, be as aforesaid; and that of the third, be amended to read, "an act to invest the City of Louisville with the privilege of a separate representation, and for other purposes."

The yeas and nays being required on the passage of the 3d bill by Messrs. Rucker and Heady, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Anderson, B. Allen, Bailey, Beall, Beauchamp, Butler, G. Calhoun, J. Calhoun, Chambers, Combs, Cox, Daniel, Declary, Field, Fisher, Griffith, Harlan, Hawes, Hays, Head, Jonas, Johnston, H. Jones, Kennedy, Love, M'Brayer, J. T. Morehead, Murphy, Oglesby, Owsley, Parker, Penn, Porter, Roberts, Rodes, Shannon, Short, Smith, Taylor, Thomas, True, Venable, White, G. W. Williams, S. Williams, E. J. Wilson, Worthington, Wright and Yates—50.

NAYS—Messrs. Barlow, Beaseman, Boyd, Brown, Bruce, Burns, Coleman, Durham, Elliott, Hardy, Harris, Heady, Hill, Hise, Hughes, Irwin, Kouns, Laughlin, Long, M'Donald, C. S. Morehead, Morris, Parks, Preston, Rucker, Sisk, Tibbatts, Walker, Wheeler, Wilcoxon and Woolfolk—31.

Ordered, That the clerk carry the said bills to the Senate, and request their concurrence.

The following bills from the Senate were severally read the first time and ordered to be read a second time, viz:

1. An act for the benefit of the widow and heirs of Robinson Shelburne, deceased.

2. An act to organize a fire company in the town of Augusta.

3. An act for the benefit of John Hogan.

4. An act for the benefit of Kitty B. Gray, and the President and Directors of the Greensburg Branch Bank.

5. An act to change a part of the boundary line between Rockcastle and Laurel counties.

6. An act to amend the several laws concerning the Trustees of the town of Lexington; and

7. An act for the benefit of the heirs of James Jennings, deceased.

And thereupon, the rule of the house, constitutional provision and second readings of said bills having been dispensed with, the 1st, 2d, 3d, 4th and 6th bills were severally ordered to be read a third time, (the second having been amended at the clerk's table,) and the 5th was committed to a select committee of Messrs. Smith, Anderson and Love.

And thereupon the rule of the house, constitutional provision and third reading of the 1st, 2d, 3d, 4th and 6th bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate, and request their concurrence in the amendments proposed to the second bill.

On the motion of Mr. Love—

Ordered, That the vote by which an engrossed bill entitled "an act to compel the Sheriffs of this Commonwealth to pay the full amount of venire claims to the holders thereof," was rejected, be reconsidered, and that said bill be recommitted to a select committee of Messrs. Love, S. Williams and Smith.

On motion—

Ordered, That the committee of the whole house be discharged from the further consideration of a bill to provide for Turn-piking the principal roads in this Commonwealth, and that the same be referred to the committee on internal improvements.

Ordered, That a message be sent to the Senate informing them that this house is now ready by a joint vote with that, to proceed to the election of public officers, in pursuance of the joint resolutions adopted by both houses; and that Mr. Love inform the Senate thereof.

A message from the Senate by Mr. Wingate:

Mr. Speaker—I am directed to inform this House, that the Senate is now ready by a joint vote with this house, to proceed to the election of public officers.

After an interchange of nominations with the Senate for the office of Treasurer, taking a vote, on which James Davidson had an unanimous vote, and a comparison of the joint vote by a committee appointed on the part of each house, James Davidson, Esq. was reported to have received the *unanimous vote* of both houses, and was thereupon declared elected Treasurer for the ensuing year.

The house then, after having exchanged, in like manner, nominations with the Senate for the office of public printer, proceeded to take a vote between Messrs. Dana and Hodges, Russell and Meriwether, and Jacob H. Holeman, who were on nomination before both houses, which was as follows:

For Messrs. Dana and Hodges—Messrs. Anderson, W. B. Allen, Beauchamp, Butler, Elliott, Harlan, Harris, Hawes, Hise, Irwin, Kennedy, Laughlin, Murphy, Owsley, Ray, Robertson, True, Venable, S. Williams, E. J. Wilson and Wright—21.

For Messrs. Russell and Meriwether—Messrs. B. Allen, Barlow, Beaseman, Boyd, Bruce, Burns, Cassidy, Chambers, Coleman, Crow, Dougherty, Durham, Guthrie, Hardy, Head, Heady, Hill, Hughes, James, Kouns, Lewright, Long, McBrayer, McDonald, Mize, Parks, Penn, Porter, Preston, Rice, Rucker, Short, Sisk, Tibbatts, Tomlinson, Walker, Wheeler, Wilcoxon, W. J. Williams, W. C. Wilson, Woolfolk and Worthington—42.

For Mr. J. H. Holeman—Mr. Speaker, Messrs. Bailey, Beall, Brown, G. Calhoon, J. Calhoon, Combs, Cox, Daniel, Declary, Field, Fisher, Griffith, Harrison, Hays, Jonas, Johnston, J. H. Jones, H. Jones, Love, C. S. Morehead, J. T. Morehead, Morris, Oglesby, Parker, Roberts, Rodes, Shanks, Shannon, Smith, Taylor, Thomas, White, G. W. Williams and Yates—35.

And after a comparison of the joint vote by a joint committee from both houses, the result was announced to be as follows:

For Messrs Dana & Hodges,	27
For Messrs. Russell and Meriwether.	58
And for Mr. Jacob H. Holeman,	50

No one on nomination having received a majority of the votes of the members of both houses.

Mr. Anderson moved the following resolution which was twice read:

Resolved, That in the election of public officers, this house will proceed to ballot between all the persons in nomination, until some person shall have a majority of votes; and that a message be sent to the Senate informing them of said rule.

And the question being taken on the adoption thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. G. W. Williams and Jonas, were as follows:

YEAS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Beaseman, Beauchamp, Boyd, Bruce, Burns, Cassidy, Chambers, Coleman, Crow, Dougherty, Durham, Elliott, Guthrie, Hardy, Harlan, Harris, Heady, Hill, Hughes, Irwin, James, Kouns, Laughlin, Lewright, Long, McBrayer, McDonald, Mize, Murphy, Oglesby, Owsley, Parks, Penn, Preston, Ray, Rice, Roberts, Robertson, Rucker, Sisk, Tibbatts, Tomlinson, Venable, Walker, Wheeler, Wilcoxon, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Worthington and Wright—56.

NAYS—Mr. Speaker, Messrs. Bailey, Beall, Brown, Butler, G. Calhoon, J. Calhoon, Combs, Cox, Daniel, Declary, Field, Fisher, Griffith, Harrison, Hawes, Hays, Head, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Love, C. S. Morehead, J. T. Morehead, Morris, Parker, Porter, Rodes, Shanks, Shan-

non, Short, Smith, Taylor, Thomas, True, White, G. W. Williams, E. J. Wilson and Yates—41.

Ordered, That Mr. Anderson carry the aforesaid message to the Senate.

The names of Messrs. Russell and Meriwether were then withdrawn from the nomination, and the Senate informed thereof by a message from this house.

The House then proceeded to take a vote between Messrs. Dana and Hodges and Jacob H. Holeman, which was as follows:

For Dana and Hodges—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Beaseman, Beauchamp, Boyd, Bruce, Butler, Cassidy, Chambers, Coleman, Crow, Dougherty, Durham, Elliott, Guthrie, Hardy, Harlan, Harris, Heady, Hill, Hise, Hughes, Irwin, Kouns, Laughlin, Lewright, Long, McBrayer, McDonald, Mize, Murphy, Owsley, Parks, Penn, Porter, Preston, Ray, Rice, Robertson, Rucker, Sisk, Tibbatts, Tomlinson, True, Venable, Walker, Wheeler, Wilcoxon, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk and Wright—55:

For J. H. Holeman—Mr. Speaker, Messrs. Bailey, Beall, Brown, G. Calhoun, J. Calhoun, Combs, Cox, Daniel, Declary, Field, Fisher, Griffith, Harrison, Hawes, Hays, Head, James, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Love, C. S. Morehead, J. T. Morehead, Morris, Oglesby, Parker, Roberts, Rodes, Shanks, Shannon, Short, Smith, Taylor, Thomas, White, G. W. Williams, E. J. Wilson, Worthington, and Yates—42.

A committee was then appointed to meet a committee from the Senate, to compare the joint vote.

The said committee then retired and after a short time returned, when the committee reported the joint vote to stand thus:

For Messrs. Dana and Hodges	71
For Jacob H. Holeman	62

Whereupon, Messrs. Dana and Hodges having received the greatest number and a majority of all the votes given, were declared duly elected public printers for the ensuing year.

The House then proceeded (after exchanging in like manner, nominations with the Senate,) to the election of a President for the Bank of Kentucky; Messrs Peter Dudley and James W. Denny being on nomination for that office; and after taking a vote which, is as follows:

For Dudley—Mr. Speaker, Messrs. Anderson, W. B. Allen, Barlow, Bailey, Beaseman, Beall, Chambers, Combs, Cox, Crow, Daniel, Declary, Elliott, Field, Fisher, Griffith, Guthrie, Hardy, Harlan, Harris, Harrison, Hawes, Head, Hill, Hise, Hughes, Irwin, James, Jonas, Johnston, H. Jones, Kennedy, Kouns, Laughlin, Love, C. S. Morehead, J. T. Morehead, Murphy, Owsley, Parker, Parks, Penn, Porter, Preston, Ray, Rice, Roberts, Robertson, Rodes, Rucke, Shanks, Shannon, Short, Sisk, Smith, Taylor, Tibbatts, Tomlinson, True, Venable, Walker, Wheeler;

White, G. W. Williams, W. J. Williams, E. J. Wilson, Worthington and Wright—69.

For Denny—Messrs. B. Allen, Beauchamp, Boyd, Brown, Bruce, Burns, Butler, G. Calhoun, J. Calhoun, Cassidy, Coleman, Dougherty, Durham, Hays, Heady, J. H. Jones, Lewright, Long, M'Brayer, M'Donald, Morris, Oglesby, Thomas, Wilcoxon, S. Williams, W. C. Wilson, Woolfolk and Yates—28.

And having the votes of both houses compared, the joint vote was reported by the committee to stand thus:

For Mr. Peter Dudley	101
For Mr. James W. Denny	33

Whereupon, Mr. Peter Dudley was declared to be duly elected, having received a majority of all the votes given.

The house then, in like manner, proceeded to the election of Directors on the part of the State for the Bank of Kentucky, and after receiving and exchanging nominations with the Senate, taking a vote and a comparison thereof by a joint committee, Messrs. Henry Wingate and James Shannon were reported to have the *unanimous vote* of both houses, and were thereupon declared duly elected.

The house then proceeded, in like manner, (after receiving and exchanging nominations with the Senate) to the election of a President for the Bank of the Commonwealth, and after taking a vote on which the vote stood thus:

For Francis P. Blair—Messrs. B. Allen, W. B. Allen, Barlow, Beaseman, Beauchamp, Boyd, Bruce, Burns, Cassidy, Chambers, Coleman, Crow, Dougherty, Durham, Elliott, Guthrie, Hardy, Head, Heady, Hill, Hise, Hughes, Irwin, James, Kouns, Laughlin, Lewright, Long, McBrayer, McDonald, Mize, Murphy, Owsley, Parks, Porter, Preston, Rice, Roberts, Rucker, Short, Sisk, Smith, Tibbatts, Tomlinson, Walker, Wheeler, Wilcoxon, W. J. Williams, W. C. Wilson and Woolfolk—50.

For James W. Hawkins—Mr. Speaker, Messrs. Anderson, Bailey, Beall, Brown, Butler, G. Calhoun, J. Calhoun, Combs, Cox, Daniel, Declary, Field, Fisher, Griffith, Harlan, Harris, Harrison, Hawes, Hays, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Love, C. S. Morehead, J. T. Morehead, Morris, Oglesby, Parker, Ray, Robertson, Rodes, Shanks, Shannon, Taylor, Thomas, True, Venable, White, G. W. Williams, S. Williams, E. J. Wilson, Worthington, Wright and Yates—47.

And having the joint vote compared by a committee from each house, the following was declared to be the joint vote:

For Mr. Francis P. Blair	89
For Mr. James W. Hawkins	64

Whereupon, Francis P. Blair having received the highest number and a majority of all the votes given, was thereupon declared duly elected President of the Bank of the Commonwealth for the ensuing year.

Mr. Tomlinson, from the select committee appointed for that purpose, reported a bill to exempt the United States Mail carriers from the payment of toll on the Turnpike and Wilderness road,

Which was received and read the first time and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

An engrossed bill entitled "an act for the benefit of John Robinson and others," was read a third time and postponed until the first day of June next.

A bill to provide for improving the navigation of Little Sandy river, was read a second time and ordered to be engrossed and read a third time to morrow.

On the motion of Mr. White—

Ordered, That leave be given to bring in a bill for the benefit of the City schools of Louisville, and the Female Orphan Asylum at Middletown; and that the committee for courts of justice prepare and bring in said bill.

And then the House adjourned.

SATURDAY, JANUARY 23, 1830.

The House met pursuant to adjournment.

1. Mr. Hardy presented the petition of Jane Wright, praying that a law may pass to change her name from Jane Wright to Jane Dodd.

2. Mr. Parker presented the petition of the administrators and widow of Thomas M'Kee, deceased, praying that a law may pass appointing a commissioner to sell a lot belonging to the estate of said M'Kee.

3. Mr. Porter presented the petition of sundry citizens of Butler county, praying a change of the place of voting in an election precinct in said county.

4. Mr. Butler presented the petition of William Clark, praying compensation for guarding a negro woman who had been apprehended on a charge of felony.

Which petitions were severally received, the reading dispensed with and referred; the 1st and 2d to the committee of courts of justice; the 3d to the committee of propositions and grievances; and the 4th to the committee of claims.

Mr. J. T. Morehead, from the committee on internal improvements, to whom was referred a bill to incorporate the Bryant Sta-

tion Turnpike Road Company, reported the same with amendments.

Which being severally twice read were concurred in.

And the said bill as amended, ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass and that the title thereof be "an act to incorporate certain turnpike road companies."

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. C. Morehead, from the committee on education, to whom was referred a bill to incorporate the trustees of the Male and Female Orphan Asylum at Middletown, reported the same without amendment.

It was then moved and seconded, to amend said bill by striking out the third section thereof, which was read as follows, viz,

Sec. 3. Be it further enacted, That the sum of \$4000 be and the same is hereby appropriated out of the school fund as a donation to the said trustees on the part of the State to aid in the establishment and in extending the sphere of usefulness of said institution.

And the question being taken on adopting the proposed amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hill and Daniel, were as follows, viz.

YEAS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Bailly, Beaseman, Boyd, Brown, Bruce, J. Calboon, Cassidy, Coleman, Daniel, Dougherty, Durham, Elliott, Fisher, Griffith, Hardy, Harlan, Harris, Harrison, Hawes, Heady, Hill, Irwin, J. H. Jones, H. Jones, Kennedy, Laughlin, Long, M'Brayer, McDonald, Mize, Morris, Owsley, Parker, Parks, Penn, Porter, Preston, Ray, Rice, Roberts, Robertson, Rucker, Sisk, Smith, Taylor, Tomlinson, True, Walker, Wheeler, Wilcoxon, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Worthington, Wright and Yates—.61

NAYS—Mr. Speaker, Messrs. Burns, Butler, Chambers, Combs, Cox, Crow, Declary, Field, Guthrie, Jonas, Johnston, Lewright, Love, C. S. Morehead, J. T. Morehead, Murphy, Oglesby, Shanks, Shannon, Short, Thomas, Tibbatts, Venable, White, G. W. Williams and E. J. Wilson—27.

The said bill was then ordered to be engrossed and read a third time.

And thereupon, the rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. J. T. Morehead, from the committee on internal improvement, reported a bill to incorporate the Louisville and Shelbyville Rail Road Company.

Which was received and read the first time and ordered to be read a second time.

And thereupon, the rule of the House constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

The House then, according to the standing order of the day, resolved itself into a committee of the whole house, Mr. Smith in the chair, and after some time spent therein the Speaker resumed the chair, and Mr. Smith reported that the committee had according to order, had under consideration a bill from the Senate entitled "an act to regulate the Bank of the Commonwealth," and had made some further progress therein, but not having time to go through the same, had instructed him to ask for leave to sit again: which being granted,

The House then adjourned.

MONDAY, JANUARY 25, 1830.

Mr. J. H. Jones presented the petition of Huldah Gervis, praying a divorce from her husband, Lemuel Gervis.

Mr. White presented the petition of the committee of Edmund H. Taylor, a lunatic, praying that a law may pass to authorize the sale of certain lands for the purpose of discharging a judgment obtained against him at the suit of the United States.

Which petitions were severally received, the reading dispensed with and referred; the former to a select committee of Messrs. J. H. Jones, Cassidy and Long; and the latter to the committee for courts of justice.

A message from the Senate by Mr. Pollard:

Mr. Speaker—The Senate concur in the preamble and resolutions declaring the power of Congress to pass tariff laws, and to make internal improvements within the several States, and they have passed a bill which originated in this house, entitled an act to declare Big Caney a navigable stream and for other purposes, with an amendment; and they have received official infor-

mation that the Governor did on the 22d and 23d instant, approve and sign enrolled bills which originated in the Senate of the following titles:

An act to provide for the opening a road from Floyd Court-House to Little Sandy Salt Works by way of Paintsville and Swetman's.

An act altering the time of holding the Washington circuit courts and for other purposes.

A resolution fixing a day to elect public officers.

An act for the benefit of Russellville Lodge, No. 17.

An act to amend "an act to incorporate certain turnpike road companies," approved January 29, 1829.

An act concerning the public highways in Fayette county, and for other purposes.

An act for the benefit of Azra Offutt.

An act for the benefit of the settlers west of the Tennessee river.

An act for the benefit of Thales Huston and others.

An act for the benefit of William K. Wall.

And they have passed a bill entitled an act to regulate the Bank of Kentucky; in which bill they request the concurrence of this house.

Mr. Smith, from the select committee, to whom was referred a bill from the Senate, entitled "an act to change a part of the boundary line between Rockcastle and Laurel counties," reported the same with an amendment.

Which being twice read was concurred in, and the said bill as amended, ordered to be read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass.

Ordered, That the clerk inform the Senate thereof and request their concurrence in said amendment.

Mr. Williams, (of Wayne,) from the select committee, to whom was referred an engrossed bill, entitled "an act to compel the sheriffs of this Commonwealth to pay the amount of venire claims to the holders thereof," reported the same with an amendment.

Which being twice read was concurred in.

Resolved, That the said bill do pass and that the title thereof be amended by adding thereto the words "and for other purposes."

The yeas and nays being required on the passage of said bill by Messrs. Williams and Mize, were as follows:

YEAS—Mr. Speaker, Messrs. Anderson, B. Allen, W. B. Allen, Bailey, Beaseman, Burns, Butler, Cassidy, Coleman, Daniel, Dougherty, Durham, Griffith, Harlan, Harris, Hawes, Heady, Hughes, Irwin, James, Jonas, H. Jones, Kennedy, Kouns, Love,

McDonald, Mize, J. T. Morehead, Murphy, Oglesby, Owsley, Parks, Porter, Preston, Ray, Rice, Rodes, Rucker, Shanks, Sisk, Smith, Taylor, Thomas, Tomlinson, Walker, Wheeler, Wilcoxon, S. Williams, W. C. Wilson, Worthington and Wright—52.

NAYS—Messrs. Barlow, Boyd, Brown, Bruce, G. Calhoun, Combs, Cox, Crow, Declary, Elliott, Field, Fisher, Guthrie, Hardy, Harrison, Head, Hill, Hise, J. H. Jones, Laughlin, Le-wright, Long, McBrayer, Morris, Parker, Roberts, Robertson, Short, Tibbatts, True, Venable, G. W. Williams, W. J. Wil-liams and Woolfolk—34.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

The following bills were reported from the several commit-tees appointed to prepare and bring in the same, viz.

By Mr. Barlow—1. A bill to allow individuals at whose hous-es elections in election precincts are held, the privilege of tav-ern keepers.

By Mr. J. H. Jones—2. A bill to divorce Huldah Gervis from her husband, Lemuel Gervis.

By Mr. Irwin—3. A bill for the benefit of Eaton Good.

By Mr. Roberts—4. A bill to repeal the fourth section of an act to change the time of holding certain courts in the seventh judicial district, approved January 25, 1827.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon the rule of the house, constitutional provision and second reading of the second, third and fourth bills having been dispensed with, the second and third bills were ordered to be engrossed and read a third time; and the fourth was commit-ted to the committee for courts of justice.

And thereupon the rule of the House, constitutional provision and third readings of the 2d and 3d bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

On the motion of Mr. Anderson—

Ordered, That leave be given to bring in a bill to authorise the insertion of advertisements in the Lancaster Journal, printed at Lancaster, and that Messrs. Anderson, Harris and Rodes, prepare and bring in said bill.

On motion—

Ordered, That the committee of the whole house be discharg-ed from the further consideration of a bill from the Senate, enti-tled "an act further to regulate the Bank of the Commonwealth," and that the same be placed in the orders of the day.

The amendments proposed by the Senate to a bill which originated in this house, entitled an act to declare Big Caney a navigable stream, and for other purposes, were twice read and concurred in.

Ordered, That the clerk inform the Senate thereof.

An engrossed bill, entitled an act to permit the citizens of Hickman county to locate their seat of justice by vote, was read a third time as follows.

Whereas great dissatisfaction exists in the county of Hickman on account of the location of their county seat at Clinton; and a petition has been presented by the citizens of said county to the General Assembly, praying that they may be permitted by vote to determine whether the county seat shall remain at Clinton or be removed to Moscow: Therefore,

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the judges and clerks of the election in the county of Hickman, at the next August election, to open a poll between Clinton and Moscow for the permanent seat of justice in said county. And all the qualified voters in the county, as well as those who shall be actual residents of the county at the time of voting, and above twenty one years of age, may, at the time of holding said election, vote for Clinton or Moscow.

Sec. 2. Be it further enacted, That it shall be the duty of the sheriffs attending the elections, to return the polls to the next county court after the election; and it shall be the duty of the said court to count the votes, and if it shall appear that there is a majority of one hundred in favor of removing the seat of justice to Moscow, it shall be the duty of the clerk of the circuit and county courts of said county, to remove the books and papers belonging to their offices to the said town, within twenty days; and the circuit and county courts shall thereafter, hold their respective terms at the aforesaid place, which shall be and remain the permanent seat of justice for said county.

And the question being taken on the passage thereof, it was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Boyd and James, were as follows:

YEAS—Mr. Speaker, Messrs. W. B. Allen, Barlow, Beaseman, Beall, Butler, Coleman, Declary, Dougherty, Fisher, Hawes, James, Jonas, Lewright, McDonald, C. S. Morehead, J. T. Morehead, Morris, Oglesby, Porter, Rodes, Rucker, Shanks, Short, Sisk, Taylor, Thomas, Tibbatts, Tomlinson, White, S. Williams, Worthington and Yates—33.

NAYS—Messrs. Anderson, B. Allen, Bailey, Boyd, Brown, Bruce, Burns, G. Calhoun, J. Calhoun, Cox, Crow, Daniel, Durham, Elliott, Field, Griffith, Guthrie, Harlan, Harris, Harrison, Hays, Head, Hedy, Hill, Hise, Hughes, Irwin, J. H.

Jones, H. Jones, Kennedy, Kouns, Laughlin, Long, Love, McBrayer, Mize, Murphy, Owsley, Parker, Preston, Ray, Rice, Robertson, Smith, True, Venable, Walker, Wheeler, Wilcoxon, G. W. Williams, W. J. Williams, E. J. Wilson, W. C. Wilson, Woolfolk, and Wright—55.

The following engrossed bills were severally read a third time:

1. An act to enable the infant heirs of John Bruen, senior, deceased, to convey certain lands.
2. An act to provide for appropriating a portion of the land to the counties west of the Tennessee river for the erection of bridges.
3. An act for the improvement of the road from Mountsterling by way of Irvine and Manchester, to intersect the Wilderness State Road.
4. An act to amend an act entitled an act to incorporate the Ohio Bridge Company.

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid,

The yeas and nays being required on the passage of the fourth bill by Messrs. B. Allen and Declary, were as follows:

YEAS—Mr. Speaker, Messrs. Bailey, Beall, Brown, Burns, Butler, G. Calhoun, J. Calhoun, Cassidy, Combs, Crow, Declary, Elliott, Field, Fisher, Griffith, Guthrie, Head, Heady, Hise, Hughes, James, Jonas, Kouns, Laughlin, Lewright, Love, McDonald, C. S. Morehead, J. T. Morehead, Murphy, Ogleby, Parker, Porter, Preston, Rice, Roberts, Shanks, Short, Taylor, Thomas, Tibbatts, Venable, White, Wilcoxon, G. W. Williams, W. J. Williams, E. J. Wilson and Worthington.—49.

NAYS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Beaseman, Boyd, Bruce, Coleman, Daniel, Dougherty, Durham, Harlan, Harris, Harrison, Hawes, Hays, Hill, Irwin, J. H. Jones, H. Jones, Kennedy, Long, McBrayer, Mize, Morris, Owsley, Parks, Ray, Robertson, Rodes, Rucker, Sisk, Smith, True, Walker, Wheeler, S. Williams, W. C. Wilson, Woolfolk and Yates—40.

Ordered, That the clerk carry the said bills to the Senate, and request their concurrence.

The house took up for consideration a bill from the Senate, entitled an act to regulate the Bank of the Commonwealth.

The amendment proposed by the committee of ways and means in lieu of the bill from the Senate, was read as follows:

Strike out all after the enacting clause and insert this bill:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That after the passage of this act, there shall be a President and five Directors of the Bank of the Commonwealth of Kentucky, any four of whom shall form a board, who shall be elected as is now provided for by law.

Sec. 2. *Be it further enacted,* That each Director shall be paid quarter-annually, two dollars per day for each stated meeting of the board of Directors that he may attend as hereinafter directed, to be paid out of any moneys of said Bank, and it shall be the duty of the Cashier to note the attendance or absence of each Director at their stated meetings.

Sec. 3. *Be it further enacted,* That the said President and Directors shall, at the office of the principal Bank, hold a weekly stated meeting, and may have such called meetings as they may deem expedient: *provided,* however, that for their attendance at any called meeting, no compensation shall be allowed them.

Sec. 4. *Be it further enacted,* That the said President and Directors shall, on or before the first day of November next discontinue and call in all the branches of said Bank, and cause to be removed, all the funds, books and papers of said branches, to the principal Bank. The said President and Directors shall, as from time to time they discontinue any branch or branches, appoint a competent agent to attend to the business of one or more of said branches, who is and has been for one year a resident of the district for which he has been appointed, and shall allow any such agent a compensation not exceeding eight hundred dollars per annum, to be paid quarter annually in the notes of said Bank, but the number of said agents shall not exceed six, after all the branches shall be discontinued.

Sec. 5. *Be it further enacted,* That the said President and Directors shall assign to each agent a district in which he shall act, and such districts may be changed from time to time, and reduced in number as the said President and Directors may order. It shall be the duty of said agents to attend at least once in every six months at the circuit court clerk's office in each county in his district, and remain at each place at least three days, for the purpose of receiving the interest and discounts due said Bank, renewing the notes, and attending to all other business that may be given him in charge by the said President and Directors; and each agent shall give public notice of the time he will attend in each county, by advertising the same at the court-house door of the county and in each of the clerk's offices, at least ten days before he attends, for the purposes above stated.

Sec. 6. *Be it further enacted,* That the said President and Directors may so arrange the times of payment of all notes under discount as to make them renewable every six months.

Sec. 7. *Be it further enacted,* That the said President and Directors shall direct their said agents to sell at private sale for cash in hand, or on a credit of not more than twelve months, all, or any of the lands and tenements belonging to said Bank, and the furniture or other personal property belonging to the branches, and each agent when he shall attend in any county as aforesaid, shall propose to sell and receive propositions to purchase

any such real or personal property; but no agent shall sell any lands or tenements without the ratification of the said President and Directors, who are hereby authorized to make all necessary conveyances for the property or estate sold.

Sec. 8. *Be it further enacted*, That the said agents shall make a return and report in writing, to the said President and Directors, and pay over to them, all monies or funds by them collected, at least once in every six months.

Sec. 9. *Be it further enacted*, That the said President and Directors shall, before the agents enter upon the duties assigned them, take bond with good security from each of them, faithfully to discharge the duties herein enjoined, and such other duties as shall be prescribed by the said President and Directors, and especially to account for and pay over punctually all monies or property received by them.

Sec. 10. *Be it further enacted* That the President and Directors may and shall from time to time, make such rules and regulations as shall be needful for the perfect management of said Bank, and the duties of the agents thereof: *provided* said rules and regulations are not inconsistent with the laws and constitution of this State.

Sec. 11. *Be it further enacted*. That it shall be the duty of all sheriffs, constables, coroners, and lawyers to attend at the courthouse at the times such agent may attend, and pay over to the Bank agent, all money or notes by him or them collected for the Bank, and on failure to do so, shall be liable to be proceeded against by suit or motion without any demand made, and liable to the same judgment, as though a demand were proved.

Sec. 12. *Be it further enacted*, That the said President and Directors may, after they commence withdrawing said branches, employ two additional clerks, if the business of the Bank should require it, and pay each of them a compensation not to exceed five hundred dollars per annum, to be paid quarter annually.

Sec. 13. *Be it further enacted*, That the said President and Directors shall from time to time as the notes of said Bank are collected, in the presence of the Governor, Auditor and Treasurer, cancel by burning the notes of said Bank, preserving such of those least injured, as are necessary to meet all draughts that may be made on said Bank.

And the question being taken on adopting the said amendment, in lieu of the bill from the Senate, it was decided in the negative, and so the said amendment was rejected.

The yeas and nays being required thereon by Messrs. Combs and H. Jones were as follows, viz.

YEAS—Messrs. Anderson, Bailey, Beall, Brown, Combs, Cox, Declary, Field, Fisher, Harlan, Harris, Harrison, Hawes, Hise, Irwin, Jonas, H. Jones, Love, Mize, C. S. Morehead, J. T. More-

head, Morris, Murphy, Oglesby, Owsley, Parker, Robertson, Rodes, Shanks, Thomas, True, Venable, White, G. W. Williams, E. J. Wilson, and Wright—36.

NAYS—Mr. Speaker, Messrs. B. Allen, W. B. Allen, Barlow, Beaseman, Beauchamp, Boyd, Bruce, Burns, Butler, G. Calhoun, J. Calhoun, Cassidy, Chambers, Coleman, Crow, Daniel, Dougherty, Durham, Elliott, Griffith, Guthrie, Hardy, Hays, Head, Heady, Hill, Hughes, James, J. H. Jones, Kennedy, Kouns, Laughlin, Lewright, Long, M'Brayer, M'Donald, Parks, Porter, Preston, Ray, Rice, Roberts, Rucker, Short, Sisk, Smith, Taylor, Tibbatts, Tomlinson, Walker, Wheeler, Wilcoxon, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Worthington and Yates—59.

Mr. Guthrie then moved to amend said bill by striking out the whole thereof after the enacting clause, and inserting in lieu thereof the following:

1. That the President and Directors of the Bank of the Commonwealth of Kentucky shall, as soon as practicable, discontinue and withdraw such of the branches of said bank as do not pay more than the amount of the expences, and such of said branches as have been *mismanaged*, and such other of the branches as in the opinion of the President and Directors of the principal Bank the best interests of the State require to be withdrawn, and shall remove the funds of all the branches they may withdraw to the principal bank at Frankfort, also all books and papers belonging to such withdrawn branches; the said President and Directors shall appoint and remove at pleasure, an agent for any branch they may withdraw, and if two adjacent branches are withdrawn, they may appoint one agent for both branches, who shall be a resident of the branch district or districts for which he is appointed an agent.

2. It shall be the business of the Bank agents to attend once in each six months at the clerk's office of each county in the district for which he shall be agent, and remain at least three days, if the business shall require it, and longer if so directed by the President and Directors of the principal bank, and shall receive the interest and discounts on all notes due the bank, and notes in renewal thereof, and shall attend to all other business the President and Directors of the principal bank shall require in relation to its interests; the said agent shall give at least ten days notice of the time he will attend in any county, by an advertisement affixed at the court house door, and in such other manner as shall be deemed proper; the bank agent shall receive calls and discounts, and renew notes when the same shall be tendered to him with good surety, at any time before suit brought.

3. The President and Directors of the principal bank shall, before any agent shall enter on the duties of his agency, take from him bond with good surety, in a reasonable penalty, conditioned

faithfully to discharge the duties herein enjoined, and such other duties as the President and Directors of the principal bank may require: they may make such rules and regulations as to the agents and the several branch banks and the interest of the institution, as in their judgment is proper, not contrary to the constitution and laws of this State.

4. The said president and directors may allow an annual salary to each agent agreeable to the business and labor to be performed by such agent, provided that it shall not exceed the sum of five hundred dollars in any one bank district, including all expenses.

5. The debts to the Bank of the Commonwealth shall be made payable and renewed to the first of June next, and afterwards shall be renewed half-yearly, and made payable the first of December and the first of June, and in all cases when not renewed, within sixty days after the period for renewal has elapsed, suit shall be brought and the collection enforced.

6. That the President and Directors of the principal bank may employ one additional clerk, at a salary of five hundred dollars, payable quarterly; and one of the clerks of the principal bank may be employed at the discretion of the principal bank, in visiting the several branches and examining into their concerns, and in enforcing the regulations of the principal bank as to the concerns of the institution, and whilst absent in visiting the branches, they shall be entitled to their travelling expenses in addition to their salaries.

7. That hereafter there shall be a President and four Directors to the principal bank, any four of whom shall be a quorum for the transaction of business; they shall hold stated meetings at least once a week, and such other called meetings as the business of the bank may require; the Directors, for their attendance at the stated meetings, shall be entitled to two dollars per day and nothing for their attendance at the called meetings.

8. It shall be the duty of the several Cashiers of the branch banks within twenty days after the first of June and December, to make out semi-annual reports of the actual condition of the branch, which shall be signed by the Cashier and countersigned by the President; the report shall contain a correct list of all debts due the bank, with the names of the principals and sureties, and the date of the note or obligation; also the cash on hand, whether in specie or bank notes, with a correct account of the expenses incurred by the branch; also the number of notes in suit, their dates and the names of the principals and sureties; also what notes are in suit, what in judgment and what judgments are replevied, and the date of the replevin bond; also what debts are doubtful and what debts are desperate, with the names of the persons owing the same.

9. The President and Directors of the principal bank shall require the Cashiers of the several branches to renew their bonds on the first of April in each year, and have the bonds transmitted to the principal bank for safe custody, and hereafter the Cashier of the several branches shall receive a salary of only five hundred dollars per annum. The President and Directors of the principal bank may require the Cashiers of the several branches to visit each county in the district to renew notes and receive discounts, and to transact any other business of the institution. They shall require the Cashiers at all times to sleep in the bank except when absent on the business of the bank, and then to have a trusty person to sleep therein.

10. That it shall be the duty of the President and Directors of the principal bank, so to regulate the calls on all debts due by note or otherwise to the bank, that the whole of the debts will be called in within three years from the first day of June next, in regular calls, payable at each renewal; they shall also require the cash on hand in the several branches to be transmitted to the principal bank once every six months, and oftener if they deem it expedient.

11. It shall be the duty of all sheriffs, lawyers and other officers, to attend at the clerk's office of the county at the time the bank agent or cashier shall attend for the renewal of the notes, and then pay over to such agent or cashier, all money or notes collected or received for the bank and on failure to do so, shall be liable to the same judgment as though a demand had been made.

12. *Be it further enacted*, that it shall be the duty of the agents diligently to enquire into the sufficiency of the security or securities to any note due to said bank, and he shall not renew or discount any note unless the principal or any security shall execute a new note, with at least two good securities, or shall in lieu of personal security execute a mortgage on real estate, to be valued according to the existing law, of at least double the value of the debt to be secured, and which shall be wholly unincumbered, and to which the mortgager has the legal title. And if any debtor or any security shall execute his or her note payable in six months, with approved security as aforesaid, and shall pay all the interest due on said note, from the last renewal thereof, up to its maturity, then said agent may revive the same. The said agents shall in no case change one security for another, unless the one substituted shall be as good or better than the one released. The said agents in obedience to the directions of the President and Directors of the principal bank, shall upon any note or notes being renewed as aforesaid, graduate the calls and discounts on the same, so as that the whole debt shall be extinguished in three years. But the said notes may be renewed every six months if the interest and discount shall be paid, if the security which shall be offered be entirely satisfactory. The said agents shall, be-

fore they place any note or notes in the possession of any attorney at law for collection, require of him bond, with security, to be approved by such agent, that he will faithfully pay over all moneys or funds by him collected, to said agent or his successor, or to the President and Directors of said bank, or their order; and if any agent fails to take such bond, he shall be liable on his bond for the payment of all moneys that may not be paid over by any such attorney.

13. That when a branch bank shall be withdrawn the office of Cashier and President and Directors of such branch, shall cease; but the cashier, if he shall not have been guilty of any default, may be appointed the agent, and shall be preferred.

14. That the President and Directors of the principal and branch banks shall under no pretence whatever, discount any note, or otherwise loan out any of the funds of said institution.

Mr. Hardy then moved to amend said amendment by striking out therefrom the words printed in italics and inserting in lieu thereof, the following: "*So mismanaged that in the opinion of the President and Directors should be withdrawn, in order to preserve the interest of the State.*"

It was then moved by Mr. J. Calhoun, to amend said amendment by striking out the whole thereof after the word "*that*" in the first line, with a view to insert an amendment.

And the question being taken on adopting the amendment proposed to the amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Guthrie and Preston, were as follows:

YEAS—Messrs. B. Allen, W. B. Allen, Barlow, Boyd, G. Calhoun, J. Calhoun, Cassidy, Coleman, Crow, Durham, Hardy, Hays, Head, Heady, Hill, Hise, Hughes, James, Laughlin, Long, McBrayer, McDonald, Parks, Porter, Preston, Rice, Rucker, Short, Sisk, Tomlinson, Walker, Wheeler, Wilcoxon and Yates—34.

NAYS—Mr. Speaker, Messrs. Anderson, Bailey, Beaseman, Beall, Brown, Bruce, Burns, Butler, Chambers, Combs, Daniel, Declary, Dougherty, Elliott, Field, Fisher, Guthrie, Harlan, Harris, Harrison, Hawes, Irwin, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Kouns, Lewright, Love, Mize, C. S. Morehead, Morris, Murphy, Oglesby, Owsley, Parker, Penn, Ray, Roberts, Robertson, Rodes, Shanks, Shannon, Smith, Taylor, Thomas, Tibbatts, True, Venable, White, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson, W. C. Wilson, Woolfolk, Worthington and Wright—60.

The question was then taken on the adoption of the amendment proposed in lieu of the bill from the Senate, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tomlinson and H. Jones, were as follows:

YEAS—Mr. Speaker, Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Bailey, Beaseman, Beall, Brown, Burns, Butler, G. Calhoun, J. Calhoun, Cassidy, Chambers, Coleman, Combs, Daniel, Declary, Dougherty, Durham, Elliott, Field, Fisher, Guthrie, Harlan, Harris, Harrison, Head, Heady, Irwin, Jonas, Johnston, J. H. Jones, H. Jones, Kouns, Laughlin, Lewright, Long, Love, Miz., C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Owsley, Parker, Parks, Penn, Porter, Ray, Roberts, Robertson, Rodes, Shacks, Shannon, Smith, Taylor, Thomas, Tibbatts, Tomlinson, Venable, Walker, White, Wilcoxon, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson, W. C. Wilson, Woolfolk, Worthington and Wright—74.

NAYS—Messrs. Boyd, Bruce, Crow, Hardy, Hawes, Hays, Hill, Hughes, James, Kennedy, McBrayer, McDonald, Preston, Rucker, Short, Sisk, True, Wheeler and Yates—19.

The said bill was then ordered to be read a third time.

Ordered, That the rule of the house, constitutional provision and first and second readings of a bill from the Senate, entitled an act to incorporate the hemp manufacturing and exporting company, be dispensed with and that the same be referred to the committee for courts of justice.

A message from the Senate by Mr. Pollard:

Mr. Speaker—The Senate disagree to the amendments proposed by this house to bills from the Senate of the following titles:

An act to authorize James G. Lindsey of Campbell county, to remove his ferry; and

An act to change the time of holding the Bullitt circuit court.

They concur in the amendments proposed by this house to bills from the Senate of the following titles:

An act to amend the laws in relation to crimes committed on the Ohio, Mississippi and Big Sandy rivers.

An act to change the name and authorize the election of Trustees to the town of Connersville in Boone county.

An act to regulate the fees of the clerk of the Court of Appeals and other clerks.

An act to change a part of the boundary line between Rockcastle and Laurel counties.

And they have passed a bill entitled "an act to amend the forfeiture law in relation to actual settlers."

In the passage of which bill, they request the concurrence of this house.

It was then moved and seconded at a quarter before 5 o'clock, P. M. that the house do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burns and Tibbatts, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Anderson, B. Allen, Boyd, Brown, Bruce, G. Calhoun, J. Calhoun, Cassidy, Chambers, Daniel, Declary, Dougherty, Darham, Hardy, Harris, Hays, Head, Hill, Hise, Irwin, James, Jonas, J. H. Jones, H. Jones, Laughlin, Long, Love, McDonald, J. T. Morehead, Morris, Murphy, Parker, Penn, Parter, Preston, Ray, Roberts, Robertson, Rucker, Shanks, Smith, Thomas, Tomlinson, True, Walker, Wheeler, W. J. Williams, W. C. Wilson and Worthington—50.

NAYS—Messrs. W. B. Allen, Barlow, Bailey, Beaseman, Beall, Burns, Butler, Coleman, Crow, Elliott, Field, Fisher, Griffith, Guthrie, Harlan, Harrison, Hawes, Heady, Hughes, Johnston, Kennedy, Kouns, Lewright, McBrayer, Mize, C. S. Morehead, Oglesby, Owsley, Parks, Rice, Rodes, Shannon, Short, Sisk, Taylor, Tibbatts, Venable, White, Wilcoxon, G. W. Williams, S. Williams, E. J. Wilson, Woolfolk, Wright and Yates—45.

And the house accordingly adjourned.

TUESDAY, JANUARY 26, 1830.

A message from the Senate by Mr. Pollard:

Mr. Speaker—The Senate have disagreed to a bill which originated in this house, entitled “an act to authorize the Mayor and Council of Louisville, to elect inspectors of Tobacco in said City.”

And they have passed bills which originated in this house of the following titles:

An act in relation to the clerks of county courts.

An act for the benefit of Thomas Lewis and Minerva Laswell; and

An act for the benefit of William Greathouse.

With an amendment to the latter bill; in which they request the concurrence of this house.

Mr. Guthrie, from the committee for courts of justice, made the following report:

The committee of courts of justice, to whom was referred, a resolution directing the committee to prepare and bring in a bill exempting the occupant of lands from the payment of rent after judgment of eviction and before they are paid for their improvements, have had the same under consideration and find that the second section of an act passed the 20th of December 1820, has provided that such occupants shall pay no rent; and therefore pray to be discharged from the further consideration of said resolution.

Which being twice read was concurred in.

On motion—

Ordered, That the committee for courts of justice be discharged from the further consideration of the petitions of John Joyes and Jane Wright.

Mr. Anderson, from the same committee, to whom was referred a bill from the Senate entitled, "an act to amend the law concerning slaves, and for other purposes," reported the same without amendment.

The said bill was then ordered to be read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof.

Mr. Guthrie, from the same committee, to whom was referred a bill from the Senate, entitled "an act to incorporate the Kentucky Hemp Manufacturing and Exporting Company," reported the same without amendment.

The said bill was then ordered to be read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required thereon by Messrs. Irwin and E. J. Wilson, were as follows, viz:

YEAS—Messrs. Anderson, W. B. Allen, Baily, Beall, Beauchamp, Brown, Bruce, Butler, Chambers, Combs, Declary, Dougherty, Elliott, Field, Fisher, Griffith, Guthrie, Hardy, Harlan, Harris, Harrison, Hawes, Hays, Head, Heady, James, Jonas, Johnston, J. H. Jones, Kouns, Laughlin, Lewright, Long, Love, McDonald, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Parker, Porter, Preston, Ray, Rice, Roberts, Robertson, Rodes, Shannon, Short, Sisk, Smith, Taylor, Thomas, Tibbatts, White, Wilcoxon, W. J. Williams, E. J. Wilson, Woolfolk, Wright and Yates—62.

NAYS—Messrs. B. Allen, Barlow, Beaseman, Boyd, Burns, J. Calhoon, Cassidy, Coleman, Daniel, Hill, Hise, Hughes, Irwin, H. Jones, Kennedy, M'Brayer, Mize, Owsley, Penn, Rucker, True, Walker, Wheeler, G. W. Williams, S. Williams and W. C. Wilson—26.

Ordered, That the clerk inform the Senate thereof.

A message from the Governor by Mr. Crittenden, his Secretary:

Mr. Speaker—I am directed by the Governor to inform this house, that he has approved and signed enrolled bills which originated in this house of the following titles:

An act to add a part of the county of Cumberland to the county of Monroe.

An act for the benefit of Charles H. Webb.

An act allowing additional justices of the peace to certain counties.

An act for the benefit of Thomas J. Young.

An act for the benefit of John Ferguson of Mublenberg county.

An act to amend the act entitled "an act to review a part of the State road leading from Franklin to Owenborough;" approved January 7th, 1829.

An act for the benefit of James Breathitt.

An act for the benefit of the heirs of George Stipp and Mary Louisa Megowan.

An act to establish an election precinct in Fleming county, and for other purposes.

An act in relation to the Georgetown and Cincinnati Turnpike.

An act for the benefit of Richard Taylor and others.

A joint preamble and resolutions upon the subject of the wharfage exacted by certain towns on the Mississippi river.

An act to establish a State road from Berry's ferry on the Ohio river, to Salem, and from Madisonville to Salem.

An act to incorporate the Merchants' Louisville Insurance Company.

An act to allow additional justices of the peace and constables to certain counties.

Ordered, That the clerk inform the Senate thereof.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By Mr. Guthrie, from the committee for courts of justice—1. A bill for the benefit of James Morse.

2. A bill concerning the Court of Appeals.

3. A bill to change the time of holding the Jefferson circuit court.

4. A bill for the benefit of the high school in the City of Louisville, and the Male and Female Orphan Asylum at Middletown.

5. A bill for the relief of the creditors and heirs of Thomas McKee and of David Wilson.

Which bills were severally received and read the first time and ordered to be read a second time.

And thereupon the rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

The house then according to the standing order of the day, resolved itself into a committee of the whole house, Mr. J. T. Morehead in the chair; and after some time spent therein, the Speaker resumed the chair, and Mr. Morehead reported that the committee had, according to order, had under consideration a bill for the appropriation of money, and had gone through the same with sundry amendments.

Which being severally twice read, were concurred in with amendments.

It was then moved and seconded to amend said bill by adding the following item thereto, viz:

"To John Wood, a runner of the House of Representatives, five dollars per week."

And the question being taken on adopting the said amendment, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. B. Allen and Mize, were as follows, viz:

YEAS—Mr. Speaker, Messrs. W. B. Allen, Bailey, Beauchamp, Boyd, Brown, Butler, G. Calhoun, J. Calhoun, Chambers, Combs, Declary, Field, Fisher, Guthrie, Harlan, Hawes, Hise, Jonas, Johnston, H. Jones, Laughlin, Lewright, Love, McBrayer, C. S. Morehead, J. T. Morehead, Murphy, Owsley, Parker, Parks, Porter, Ray, Roberts, Robertson, Rodes, Shanks, Shannon, Smith, Tibbatts, True, Venable, White, G. W. Williams, W. J. Williams, E. J. Wilson and Worthington—47.

NAYS—Messrs. B. Allen, Barlow, Beaseman, Beall, Bruce, Burns, Cassidy, Coleman, Cox, Crow, Daniel, Dougherty, Durham, Elliott, Griffith, Hardy, Harris, Harrison, Hays, Head, Heady, Hill, Hughes, Irwin, J. H. Jones, Kennedy, Kouns, Long, McDonald, Mize, Morris, Oglesby, Preston, Rice, Rucker, Short, Sisk, Taylor, Thomas, Walker, Wheeler, Wilcoxon, S. Williams, W. C. Wilson, Woolfolk, Wright and Yates—47.

Mr. J. H. Jones, from the majority on the vote by which the above amendment was rejected, moved a reconsideration of said vote.

And the question being taken on reconsidering said vote it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. B. Allen and Mize, were as follows:

YEAS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Bailey, Beauchamp, Boyd, Brown, Butler, G. Calhoun, J. Calhoun, Cassidy, Chambers, Combs, Declary, Field, Fisher, Guthrie, Harlan, Harris, Hawes, Head, Hise, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Laughlin, Lewright, Love, C. S. Morehead, J. T. Morehead, Murphy, Owsley, Parker, Parks, Porter, Ray, Roberts, Robertson, Rodes, Shanks, Shannon, Smith, Tibbatts, True, Venable, White, G. W. Williams, W. J. Williams, E. J. Wilson, W. C. Wilson and Worthington—53.

MAYS—Messrs. B. Allen, Barlow, Beaseman, Beall, Bruce, Burns, Coleman, Cox, Crow, Daniel, Dougherty, Durham, Elliott, Griffith, Hardy, Harrison, Hays, Heady, Hill, Hughes, Irwin, Kouns, Long, McBrayer, McDonald, Mize, Morris, Oglesby, Penn, Preston, Rice, Rucker, Short, Sisk, Taylor, Thomas, Walker, Wheeler, Wilcoxon, S. Williams, Woolfolk, Wright and Yates—43.

The question was then again taken on the adoption of the said amendment, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. B. Allen and Mize, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Bailey, Beauchamp, Boyd, Brown, Butler, G. Calhoun, J. Calhoun, Chambers, Combs, Cox, Declary, Field, Fisher, Guthrie, Harlan, Harris, Harrison, Hawes, Head, Hise, Jonas, Johnston, J. H. Jones, H. Jones, Laughlin, Lewright, Love, McBrayer, C. S. Morehead, J. T. Morehead, Murphy, Owsley, Parker, Parks, Porter, Ray, Roberts, Robertson, Rodes, Shanks, Shannon, Smith, Taylor, Thomas, Tibbatts, True, Venable, White, G. W. Williams, W. J. Williams, E. J. Wilson, W. C. Wilson and Worthington—56.

NAYS—Messrs. B. Allen, Barlow, Beaseman, Beall, Bruce, Burns, Cassidy, Coleman, Crow, Daniel, Dougherty, Durham, Elliott, Griffith, Hardy, Hays, Heady, Hill, Hughes, Irwin, Kennedy, Long, McDonald, Mize, Morris, Oglesby, Penn, Preston, Rucker, Sisk, Walker, Wheeler, Wilcoxon, S. Williams, Woolfolk, Wright and Yates—37.

It was then moved by Mr. Daniel to amend said bill by striking out the sum of *sixty dollars per week*, as the salary of the principal clerk.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Daniel and Rucker, were as follows:

YEAS—Messrs. Anderson, B. Allen, Barlow, Beaseman, Boyd, Bruce, Burns, Cassidy, Crow, Daniel, Dougherty, Durnam, Fisher, Griffith, Hardy, Harris, Harrison, Hawes, Hays, Heady, Hill, Hise, Irwin, J. H. Jones, H. Jones, Kennedy, Kouns, Long, McBrayer, McDonald, Mize, Morris, Parks, Preston, Ray, Rice, Robertson, Rodes, Rucker, Short, Sisk, Walker, Wheeler, Wilcoxon, W. C. Wilson, Woolfolk, Wright and Yates—48.

NAYS—Messrs. W. B. Allen, Bailey, Beall, Beauchamp, Brown, Butler, G. Calhoun, J. Calhoun, Chambers, Coleman, Combs, Cox, Declary, Elliott, Field, Guthrie, Harlan, Hughes, Jonas, Johnston, Lewright, Love, C. S. Morehead, J. T. Morehead, Murphy, Oglesby, Owsley, Parker, Penn, Roberts, Shanks, Shannon, Smith, Taylor, Thomas, Tibbatts, True, Venable, White, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson and Worthington—44.

Mr. Hawes, from the majority on the vote by which the amendment aforesaid was adopted, moved a reconsideration of said vote.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walker and Mize, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Bailey, Beaseman, Beall, Beauchamp, Brown, Butler, G. Calhoun, J. Calhoun, Chambers, Coleman, Combs, Cox, Declary, Guthrie, Harlan, Hawes, Hughes, Jonas, Johnston, J. H. Jones, Laughlin, Lewright, Love, C. S. Morehead, J. T. Morehead, Murphy, Oglesby, Owsley, Parker, Penn, Porter, Roberts, Shauks, Shannon, Short, Smith, Taylor, Thomas, Tibbatts, True, Venable, White, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson and Worthington—51.

NAYS—Messrs. B. Allen, Barlow, Boyd, Bruce, Burns, Cassidy, Crow, Daniel, Dougherty, Durham, Elliott, Field, Fisher, Griffith, Hardy, Harris, Harrison, Hays, Heady, Hill, Hise, Irwin, H. Jones, Kennedy, Kouns, Long, M'Brayer, M'Donald, Mize, Morris, Parks, Preston, Rice, Robertson, Rodes, Rucker, Sisk, Walker, Wheeler, Wilcoxon, W. C. Wilson, Woolfolk, Wright and Yates—44.

The said bill was then postponed for the present.

A bill from the Senate entitled "an act further to regulate the Bank of the Commonwealth," was read a third time, as amended, and amended by an engrossed ryder.

Resolved, That the said bill, as amended, do pass.

The yeas and nays being required on the passage of said bill by Messrs. Rucker and Rice, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Bailey, Beaseman, Beall, Brown, Burns, Butler, Cassidy, Chambers, Coleman, Combs, Cox, Daniel, Declary, Dougherty, Elliott, Field, Fisher, Guthrie, Harlan, Harris, Harrison, Hawes, Heady, Hise, Irwin, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Kouns, Lewright, Long, Love, Mize, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Owsley, Parker, Parks, Penn, Ray, Roberts, Robertson, Rodes, Shanks, Shannon, Smith, Taylor, Thomas, Tibbatts, True, Venable, White, Wilcoxon, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson, W. C. Wilson, Woolfolk, Worthington and Wright—71.

NAYS—Messrs. Beauchamp, Boyd, G. Calhoun, J. Calhoun, Crow, Durham, Griffith, Hardy, Hays, Head, Hill, Hughes, James, Laughlin, M'Brayer, M'Donald, Preston, Rice, Rucker, Short, Sisk, Walker, Wheeler and Yates—24.

Ordered, That the clerk inform the Senate thereof and request their concurrence in said amendments.

And then the House adjourned.

WEDNESDAY, JANUARY 27, 1830.

The Speaker laid before the house the report of the joint committee appointed to visit the asylum for the tuition of the deaf and dumb at Danville, which is as follows, viz.

The joint committee of the Senate and House of Representatives, appointed to examine into the condition of the Asylum at Danville, for the instruction of the deaf and dumb, have performed the duty assigned them, and respectfully submit the following report, as the result of their examination:

In regard to the current expenses of the institution for the past year, its pecuniary condition, the number of students, &c. more detailed and satisfactory information may be derived from the annual report of the trustees of said institution, which has already been spread upon the journals of your honorable body, and reference to which is here made.

Your committee felt it to be their duty to make a careful examination of the dwelling house, school room, dormitories and other appendages of the institution, and are happy to have it in their power to state, that every thing connected with it exhibited the appearance of prosperity and good management. Too much praise cannot be given to the superintendant, matron, and teachers, for the kind and affectionate solicitude they manifest for their unfortunate but interesting charge, and for the pains they have taken, not only to improve their minds, but to instruct them in the domestic duties and qualify them for future usefulness and respectability. The good order, sense of propriety, and intelligence of the pupils, constitute their highest eulogy.

Your committee visited the school room where the pupils were all assembled without any previous preparation, for purposes of examination. They were highly gratified at the progress of the different classes, and astonished at the extent, variety, and accuracy of their information. The rudiments of education, viz: Grammar, Geography, Arithmetic, History, the nature and form of our government, &c. have all been brought within their grasp and comprehension. From the result of the examination, your committee are perfectly satisfied that these unfortunates may be made to acquire ideas of every thing within the range of human knowledge, except music and oratory, and that the mysterious dispensation of Providence under which they labor, may be so far meliorated as to qualify them for rational enjoyment, and enable them to become useful and respectable members of society. Your committee are informed, that they acquire knowledge as fast as persons endowed with all the faculties of the mind usually do; and from the advancement of a youth who has been at the Asylum four years, the length of time allowed by law for the ed-

education and support of the deaf and dumb, they are fully persuaded of the fact, and believe that time to be sufficient to enable them to acquire a competent education.

From the report of the trustees before referred to, it will be seen that the number of pupils has somewhat increased during the past year; but not in the degree which might have been expected from the importance of the institution, and the qualifications of its officers. Your committee cannot omit the present opportunity of impressing upon the legislature, the propriety of calling the attention of the people to this interesting institution; and wherever they are acquainted with the existence of a mute, of enforcing upon its parents the duty and obligation of sending it to the asylum, and the importance of the benefits which will result therefrom; for your committee are fully persuaded that nothing short of a belief on the part of parents of the impracticability of educating the mute, or ignorance of the munificent provision our country has made for this bereaved part of the human family, can prevent them from availing themselves of its benefits, and of thus elevating their offspring (doubly endeared by misfortune,) from the level of the brute creation, opening to their benighted minds the wide field of intellectual and social enjoyment, and making them acquainted with the duties and obligations they owe to the author of their being.

Your committee believe that the expenses of the institution might be curtailed, as well as the health of the pupils invigorated, provided a few acres of land was attached to it so as to enable them to work a portion of each day. In this way also, under judicious management, habits of industry and qualifications of usefulness might be given them, which would be of inestimable importance to their subsequent life. Your committee would, therefore, respectfully recommend to the legislature the expediency of directing the trustees of the institution, if ground of a suitable character can be obtained, to appropriate such a portion of the money they now have on hand to its procurement, as may be necessary. Your committee believe, from all the information they have been enabled to obtain, and from all they have seen, that the sum now provided by law for the education of the deaf and dumb, is not more than adequate to the purpose, and that it cannot be reduced without endangering the institution, by driving from it the respectable and well qualified officers who now conduct it. They are of the opinion, therefore, that the legislature should leave the present provision untouched, at least until the liberal endowment of the United States government can be realized, and converted into a permanent fund, for the support of an institution so intimately interwoven with the best feelings of the human heart, and so honorable to the philanthropy of the country.

Mr. Smith moved the following resolution, viz.

Resolved, That the public printer be directed to print 5,000 list of the acts passed at the present session, for the use of the members of this house.

Which being twice read, was adopted.

On motion—

Ordered, That the committee of claims be discharged from the further consideration of the petitions of William Clark, Andrew M'Calla, and of the members of the Presbyterian Synod of Kentucky.

Mr. Hise, from the select committee to whom was referred a bill from the Senate, entitled "an act to add a part of Ohio to Daviess county," reported the same with an amendment.

Which being twice read was concurred in.

And the said bill as amended ordered to be read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, as amended, and that the title thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof, and request their concurrence in the said amendment.

Mr. Anderson read and laid on the table the following resolution.

Resolved by the General Assembly of the Commonwealth of Kentucky, That they will proceed on Friday, 29th instant, to elect by joint ballot of both houses, Directors of the Bank of the Commonwealth of Kentucky, and Presidents and Directors of the Branch Banks of the Bank of the Commonwealth of Kentucky.

And thereupon, the rule of the House having been dispensed with, the said resolution was taken up and adopted.

Ordered, That the clerk carry the said resolution to the Senate and request their concurrence.

Mr. Combs moved the following resolution:

Resolved, That the Governor of this Commonwealth be requested to apply to the Secretary of War of the United States, for a competent corps of engineers to examine and survey, as soon as practicable, the several routes proposed for a rail road from Lexington to the Ohio river.

Which being twice read was adopted.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz.

By Mr. Anderson—1. A bill to authorize the insertion of advertisements in the Lancaster Journal, a newspaper printed in Lancaster.

By Mr. Coleman—2. A bill to provide for the improvement of the road from Georgetown to Augusta by way Cynthiana, Leesburg and Claysville.

Which bills were severally received and read the first time, and ordered to be read a second time.

And thereupon the rule of the house, constitutional provision and second and third readings of the first bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered; That the clerk inform the Senate thereof, and request their concurrence.

The following bills from the Senate were severally read the first time and ordered to be read a second time, viz.

An act to remove the obstructions to the navigation of Rough Creek, Pond River and Trade Water; and

An act to extend the Turnpike and Wilderness Road to Crab Orchard.

And the rule of the house, constitutional provision and second reading of the first bill, and second and third readings of the second bill having been dispensed with, the said first bill was committed to the committee on internal improvement.

Resolved. That the second bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof.

Mr. Barlow from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz.

An act for the benefit of Thomas Lewis and Minerva Laswell.

An act in relation to the clerks of county courts.

An act to incorporate a company to erect a bridge across Licking river, between the towns of Newport and Covington.

An act to declare Big Caney a navigable stream, and for other purposes.

An act concerning the towns of Versailles and Danville.

An act to amend the laws in relation to crimes committed on the Ohio, Mississippi and Big Sandy rivers.

An act to incorporate the Lexington and Ohio Rail Road Company.

An act to change a part of the boundary line between Rockcastle and Laurel counties.

An act to amend an act appointing commissioners to lay off and mark a State road from Harrodsburg to Smithland in Livingston county, approved February 9, 1823.

An act for the benefit of John Hogan.

An act for the benefit of Kitty B. Gray, and the President and Directors of the Greensburg Branch Bank.

An act for the benefit of the widow and heirs of Robinson Shelburn, deceased.

An act to amend the several laws concerning the trustees of the town of Lexington.

An act to change the name and to authorize the election of trustees to the town of Connersville in Boone county.

An act to regulate the fees of the clerk of the court of appeals and other clerks.

And a joint preamble and resolutions declaring the power of Congress to pass tariff laws and to make internal improvements within the several States.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

A message from the Senate by Mr. Stonestreet, their secretary:

Mr. Speaker—The Senate have passed bills of the following titles:

An act to improve the road from the mouth of Triplett's creek and from Lewis' mill on Fox's creek to the mouth of Big Sandy.

An act to provide for the opening a State road from Frankfort to intersect the State road from Lexington to Ghent, at or near Owenton.

They have passed a resolution concerning the Penitentiary.

They concur in the amendments proposed by this house to a bill from the Senate, entitled "an act to organize a Fire Company in the town of Augusta," with amendments.

They have passed bills which originated in this house of the following titles:

An act for the benefit of William M'Lean, deputy sheriff of Estill county.

An act requiring salt works to be enclosed.

An act for the purpose of having the Edmondson county line run from White's to Hunter's, and also to run the line between Edmondson and Barren.

An act to authorize the sheriff of Monroe county to execute bond for the collection of the revenue tax and county levy of said county.

An act to authorize the insertion of certain advertisements in the Public Leger.

An act for the benefit of Sarah Mitcherson and others.

An act to amend the act entitled "an act to incorporate the Lexington and Frankfort Turnpike or Rail Road Company," with amendments to the five latter bills; in which bills, resolution and amendments, they request the concurrence of this house.

The amendments proposed by the Senate to bills which originated in this house of the following titles, were twice read and concurred in:

An act to amend an act entitled, an act to incorporate the Lexington and Frankfort Turnpike or Rail Road Company.

An act for the benefit of Sarah Mitcherson and others.

An act for the purpose of having the Edmondson county line run from White's to Hunter's, and also to run the line between Edmondson and Barren.

An act to authorize the sheriff of Monroe county to execute

bond for the collection of the revenue tax and county levy of said county.

An act to authorize the insertion of certain advertisements in the Public Leger.

Ordered, That the clerk inform the Senate thereof.

The amendments proposed by the Senate to a bill from this house, entitled an act for the benefit of William Greathouse, were twice read and disagreed to.

Ordered, That the clerk inform the Senate thereof.

The House proceeded to reconsider their amendments proposed to bills from the Senate of the following titles:

An act to change the time of holding the Bullitt circuit court; and

An act to authorize James G. Lindsey of Campbell county to remove his ferry.

Resolved, That this house recede from their amendments.

Ordered, That the clerk inform the Senate thereof.

The amendments proposed by the Senate upon concurring in the amendments proposed by this house to a bill which originated in the Senate, entitled "an act to organize a fire company in the town of Augusta," were twice read and concurred in.

Ordered, That the clerk inform the Senate thereof.

A bill from the Senate entitled an act for the benefit of T. G. Waring, was read the third time.

And the question being taken on the passage of said bill, it was decided in the negative; and so the said bill was rejected.

Ordered, That the clerk inform the Senate thereof.

An engrossed bill entitled, an act to provide for completing the road from Beaver Creek Iron Works in Bath county, by way of West Liberty in Morgan county, to the town of Louisa, was read a third time as follows, to-wit:

Whereas it is represented to this General Assembly, that an appropriation of twelve hundred dollars in Land Warrants has been made by the General Assembly, for the opening and improving the road from Beaver creek iron works in Bath county, by way of West Liberty in Morgan county, to the town of Louisa in Lawrence county: And whereas it is also represented that said sum has been profitably expended on said road by the commissioners appointed for that purpose, and that the legislature of Virginia has appropriated about the sum of seven thousand dollars to open and improve a road from the interior of Virginia, by way of Logan Court-house, to meet the aforesaid road at the town of Louisa, which said roads are of great importance, but will require an additional appropriation to complete the same: Wherefore,

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of one thousand dollars, out of any money in the treasury not otherwise appropriated, shall be-

and the same is hereby appropriated for the purpose of completing the aforesaid road.

Sec. 2. Be it further enacted, That Lewis Ringlesby of the county of Lawrence, and John Williams of Morgan county be, and they are hereby appointed commissioners, who, after entering into bond with approved security in the clerk's office of their respective county courts, in the penalty of one thousand dollars each, conditioned for the faithful discharge of the duties required by this act, shall meet at the town of Louisa, and proceed to let out to the lowest bidder such parts of said road as may be unfinished between the town of Louisa and the Morgan county line, and when that is done, so soon as may be practicable, said commissioners shall meet at the town of West Liberty, and proceed to let out as aforesaid, the balance of the road, between the Lawrence county line and Beaver creek iron works, having just regard in their distribution to the distance and condition of said road, in all cases taking bond with good security for the faithful performance of their several undertakings, in at least double the amount of their said undertakings.

Sec. 3. Be it further enacted, That the said commissioners are hereby authorized to draw their order upon the treasury, and the Auditor is hereby required to audit the same, and the Treasurer is directed to pay over the said sum of one thousand dollars to said commissioners or their order, so soon as they shall file with the Auditor of public accounts, the certificate of the clerks of their respective counties of their having entered into bond, &c. as required by the second section of this act.

Sec. 4. Be it further enacted, That said commissioners shall receive the sum of one dollar per day for each day they may be engaged in the discharge of their duties: *Provided* they shall not be allowed for more than thirty days each, and shall not be allowed any thing until they shall have produced an account of their services in the county courts of their respective counties, and made oath to the justice of the same.

And the question being taken on the passage of said bill, it was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Daniel and Burns, were as follows, to-wit:

YEAS—Messrs. Bruce, Burns, Butler, Cassidy, Fisher, Guthrie, Harrison, Hise, Johnston, J. H. Jones, Kennedy, Kouns, Love, C. S. Morehead, Murphy, Parker, Parks, Rice, Shannon, Short, Smith, Thomas, Tibbatts, Wheeler, White, G. W. Williams, and E. J. Wilson—27.

NAYS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Bailey, Beaseman, Beall, Beauchamp, Boyd, Brown, J. Calhoon, Coleman, Combs, Cox, Daniel, Declary, Dougherty, Durham, Elliott, Field, Griffith, Hardy, Harris, Hawes, Hays, Heady, Hill, Hughes, Irwin, James, Jonas, H. Jones, Laughlin, Le-

wright, Long, McBrayer, McDonald, Mize, Morris, Oglesby, Penn, Porter, Preston, Ray, Roberts, Rodes, Rucker, Sisk, Taylor, True, Venable, Walker, Wilcoxon, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Worthington, Wright and Yates—60.

An engrossed bill entitled "an act to provide for digesting the militia laws of the Commonwealth of Kentucky and for other purposes," was read a third time.

Resolved, That the said bill do pass and that the title thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof and request their concurrence.

An engrossed bill entitled "an act amending the law in relation to the compensation of Commonwealth's attorneys," was read a third time.

And the question being taken on the passage thereof, it was decided in the negative; and so the said bill was rejected.

An engrossed bill entitled "an act supplemental to an act amendatory of an act incorporating certain turnpike road companies of this Commonwealth," passed January 29, 1829, was read a third time.

And the question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Daniel and Fisher, were as follows, to-wit:

YEAS—Mr. Speaker, Messrs. Anderson, Bailey, Beauchamp, Brown, Bruce, Butler, Cassidy, Chambers, Combs, Crow, Declary, Field, Guthrie, Hardy, Harlan, Harrison, Hawes, Hays, Heady, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Kouns, Lewright, Love, C. S. Morehead, J. T. Morehead, Morris, Oglesby, Parker, Parks, Porter, Preston, Roberts, Rodes, Shanks, Shannon, Short, Smith, Taylor, Thomas, Tibbatts, True, Venable, Wheeler, White, Wilcoxon, G. W. Williams, E. J. Wilson and Worthington—53.

NAYS—Messrs. B. Allen, W. B. Allen, Barlow, Beaseman, Beall, Boyd, Burns, J. Calhoon, Coleman, Daniel, Dougherty, Durham, Elliott, Fisher, Harris, Head, Hill, Hise, Irwin, Long, McBrayer, McDonald, Mize, Murphy, Owsley, Penn, Ray, Rice, Robertson, Rucker, Sisk, Walker, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Wright and Yates—38.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

An engrossed bill entitled "an act to constitute a board of internal improvement for Shelby county," was read a third time.

And the question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Daniel and Mize, were as follows:

YEAS—Mr. Speaker, Messrs. Bailey, Beauchamp, Brown, Bruce, Butler, J. Calhoun, Cassidy, Chambers, Combs, Crow, Declary, Field, Griffith, Guthrie, Harrison, Hawes, Head, Heady, Jonas, Johnston, J. H. Jones, Kennedy, Kouns, Lewright, Love, McDonald, C. S. Morehead, J. T. Morehead, Morris, Oglesby, Parker, Parks, Porter, Roberts, Shanks, Shannon, Smith, Taylor, Thomas, Tibbatts, True, Venable, Wheeler, White, G. W. Williams and E. J. Wilson—47.

NAYS—Messrs. B. Allen, W. B. Allen, Barlow, Beaseman, Beall, Boyd, Burns, Coleman, Daniel, Dougherty, Durham, Elliott, Fisher, Harris, Hays, Hill, Hise, Hughes, Irwin, Laughlin, Long, McBrayer, Mize, Murphy, Owsley, Penn. Ray, Rice, Robertson, Rodes, Rucker, Walker, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Wright and Yates—38.

Ordered, That the clerk inform the Senate thereof and request their concurrence.

It was then moved and seconded, to take up for consideration the bill entitled "a bill to lessen the amount of salaries of circuit judges and other officers of this Commonwealth."

And the question being taken on taking up said bill for consideration, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Daniel and Mize, were as follows:

YEAS—Messrs. Anderson, B. Allen, Barlow, Beaseman, Boyd, Bruce, Burns, Cassidy, Chambers, Coleman, Daniel, Dougherty, Durham, Fisher, Hardy, Harlan Harris, Heady, Hill, Hise, Hughes, Irwin, H. Jones, Kouns, Laughlin, Lewright, Long, McBrayer, McDonald, Mize, J. T. Morehead, Murphy, Oglesby, Owsley, Penn. Ray, Rice, Roberts, Rodes, Rucker, Smith, Walker, Wheeler, S. Williams, W. C. Wilson, Woolfolk, Wright and Yates—43.

NAYS—Mr. Speaker, Messrs. W. B. Allen, Bailey, Beall, Beauchamp, Brown, Butler, J. Calhoun, Combs, Cox, Declary, Elliott, Field, Griffith, Guthrie, Harrison, Hawes, Hays, Head, Jonas, Johnston, J. H. Jones, Kennedy, Love, C. S. Morehead, Morris, Parker, Robertson, Shanks, Shannon, Taylor, Thomas, Tibbatts, True, Venable, White, G. W. Williams, W. J. Williams and E. J. Wilson—39.

The said bill was then read a second time as follows, viz.

Whereas it is the duty of governments as well as individuals, to adapt their expenditures to their incomes, and especially to retrench when extravagance has brought upon us the disgrace and mischief of a public debt: and whereas it appears that the Treasury of the State is incumbered by a weight of an hundred and odd thousand dollars of a deficit, which cannot be discharged without imposing new burthens on the people; and whereas from the appreciation of the currency in the country, the price of every commodity and every species of labour is reduced, ren-

dering new exactions from the community to the last degree oppressive, it becomes the duty of the representatives of the people to reduce the salaries of the public officers which are enhanced in value in proportion to the general distress, with a view to remove the cause of depression in the finances, and to apply the means of the treasury to the liquidation of the demands against it: Wherefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter the following salaries shall be annually paid the respective officers hereinafter named, to-wit:

To the Auditor of public accounts, the sum of \$1000; to the Treasurer, the sum of \$800; to the Register of the Land Office, \$1000; to each Judge of the court of appeals, \$1200; to each circuit Judge, 700; to the President of the Bank of Kentucky, to be paid in the currency of the Bank of the Commonwealth or its equivalent, \$500; to the Cashier of the Bank of the Commonwealth, \$700; to the Clerk of the Bank of the Commonwealth, \$750; to the President of the Bank of Kentucky, \$500; to the Cashier of the Bank of Kentucky, \$700; to the Clerk of the Bank of Kentucky, \$750; to each agent employed by the Bank of Kentucky in the several districts, as now allowed by the Board of Directors, \$800.

Be it further enacted, That the agents of the Bank of Kentucky shall not be entitled to nor shall they be paid any allowance for their travelling expences.

The question was then taken on engrossing said bill and reading it a third time, which was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Burns and Mize, were as follows, viz:

YEAS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Beaseman, Bruce, Burns, Cassidy, Chambers, Coleman, Crow, Daniel, Dougherty, Durham, Fisher, Harris, Harrison, Heady, Hill, Hise, Irwin, Kouns, Laughlin, Lewright, Long, McDonald, Mize, Murphy, Penn, Porter, Rice, Roberts, Rodes, Rucker, Walker, Wheeler, S. Williams, W. C. Wilson, Woolfolk, Wright and Yates—41.

NAYS—Mr. Speaker, Messrs. Bailey, Beall, Beauchamp, Boyd, Brown, Butler, J. Calhoun, Combs, Cox, Declary, Elliott, Field, Griffith, Guthrie, Hardy, Harlan, Hawes, Hays, Head, Hughes, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Love, M. Brayer, C. S. Morehead, J. T. Morehead, Morris, Oglesby, Owsley, Parker, Ray, Robertson, Shanks, Shannon, Smith, Taylor, Thomas, Tibbatts, True, Venable, White, G. W. Williams, W. J. Williams and E. J. Wilson—48.

An engrossed bill entitled, an act to provide for surveying and improving the road from the mouth of Big Sandy river to Lexington, was read a third time.

Mr. Jonas then moved to attach the following engrossed clause by way of ryder to said bill, viz.

Be it further enacted, That N. P. Robinson, David Findly, William Pearce, Burtis Ringo and Joshua Noss be, and they are hereby appointed commissioners to superintend the surveying of the road from the mouth of Big Sandy by the way of Naps, Ringo's, Poplar Plains, Upper Blue Licks, through Carlisle, intersecting the road from Maysville to Frankfort, near Millersburg; and it shall be their duty to proceed in the same manner and to give bond under the same penalty and under the same circumstances as is herein required, in regard to the other commissioners; and the said engineer shall proceed to survey the said road and make the estimates in the same manner and for the same purposes as is provided for in regard to the other road; and the Auditor and all other officers and persons shall be governed by the same rules and like limitations as is provided for in regard to the other roads; only making such variations as shall be necessary to adapt the proceedings to the road herein provided for.

And the question being taken on adopting the said amendment, as a ryder to the bill, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. Jones and Burns, were as follows, viz:

YEAS—Messrs. Beauchamp, Burns, J. Calhoun, Cassidy, Chambers, Daniel, Durham, Fisher, Griffith, Harlan, Harris, Johnston, J. H. Jones, Kennedy, Love, Morris, Oglesby, Parker, Porter, Rodes, Rucker, Smith, Taylor, White, S. Williams, and E. J. Wilson,—26.

NAYS—Mr. Speaker, Messrs. B. Allen, Barlow, Bailey, Beaseman, Beall, Boyd, Brown, Bruce, Coleman, Combs, Cox, Butler, Dougherty, Elliott, Field, Hardy, Harrison, Hawes, Hays, Head, Heady, Hughes, Irwin, Kouns, Lewright, Long, McBrayer, McDonald, Mize, C. S. Morehead, J. T. Morehead, Murphy, Owsley, Penn, Preston, Ray, Rice, Shannon, Short, Sisk, Thomas, Tibbatts, True, Venable, Walker, Wheeler, W. J. Williams, W. C. Wilson, Woolfolk, Wright and Yates—52.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. White, from the joint committee of conference, to whom was referred the amendments proposed by the Senate to a bill which originated in this house, entitled an act to incorporate the Louisville Mutual Fire Insurance Company, made a report,

Which was twice read and concurred in.

Ordered, That the clerk inform the Senate thereof.

The House resumed the consideration of a bill for the appropriation of money.

It was then moved and seconded, to reconsider the vote adopting the following clause as an amendment to the bill, viz:

"To the Auditor, Register, Treasurer and Attorney General, for examining monthly and reporting the condition of the Penitentiary by resolution of the Legislature for the five last years, \$24 per year."

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burns and B. Allen, were as follows:

YEAS—Messrs. B. Allen, Barlow, Beaseman, Beall, Boyd, Bruce, Burns, J. Calhoun, Cassidy, Chambers, Coleman, Crow, Daniel, Dougherty, Durham, Elliott, Fisher, Griffith, Hardy, Harlan, Harris, Hays, Head, Heady, Hill, Hise, Hughes, Irwin, Johnston, J. H. Jones, Kennedy, Kouns, Lewright, McBrayer, McDonald, Mize, Morris, Murphy, Parks, Penn, Porter, Preston, Rice, Robertson, Rodes, Rucker, Shannon, Short, Sisk, Smith, True, Walker, Wheeler S. Williams, W. C. Wilson, Woolfolk, Worthington, Wright and Yates—60.

NAYS—Mr. Speaker, Messrs. Anderson, Bailey, Beauchamp, Brown, Combs, Cox, Declary, Harrison, Hawes, Jonas, H. Jones, Laughlin, Love, C. S. Morehead, J. T. Morehead, Oglesby, Owsley, Parker, Ray, Shanks, Taylor, Thomas, Tibbatts, White, G. W. Williams, W. J. Williams and E. J. Wilson—27.

The said amendment was then amended by striking out *twenty-four* dollars and inserting in lieu thereof *twelve* dollars.

The question was then taken on adopting the said amendment as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burns and B. Allen, were as follows:

YEAS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Barlow, Bailey, Beall, Beauchamp, Boyd, J. Calhoun, Cassidy, Chambers, Combs, Cox, Crow, Daniel, Declary, Durham, Elliott, Field, Griffith, Guthrie, Hardy, Harlan, Harris, Harrison, Hawes, Hays, Head, Heady, Hill, Irwin, James, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Kouns, Laughlin, Lewright, Long, Love, McBrayer, McDonald, Mize, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Owsley, Parker, Parks, Penn, Porter, Preston, Ray, Robertson, Rodes, Shanks, Shannon, Short, Sisk, Smith, Taylor, Thomas, Tibbatts, True, Venable, Walker, White, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson, W. C. Wilson, Worthington, Wright and Yates—81.

NAYS—Messrs. B. Allen, Beaseman, Burns, Coleman, Hughes, Rice, Wheeler and Woolfolk—9.

Mr. Love then moved to amend said bill by attaching thereto the following item:

To the Auditor of public accounts, to enable him to pay an additional clerk, required by the *"act regulating the duties of the clerks of this Commonwealth,"* and to the Register of the Land

Office to enable him to pay an additional clerk required to record the surveys in his office, four hundred dollars each.

A division of the question was called for; and the question first put, "*on allowing the Auditor \$400.*"

Which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Durham and B. Allen, were as follows:

YEAS—Mr. Speaker, Messrs. Bailey, Beall, Beauchamp, Brown, J. Calhoun, Chambers, Combs, Cox, Crow, Declary, Elliott, Field, Fisher, Griffith, Guthrie, Harrison, Hawes, Head, Hise, James, Jonas, Johnston, J. H. Jones, Kennedy, Laughlin, Lewright, Love, C. S. Morehead, J. T. Morehead, Morris, Oglesby, Owsley, Parker, Porter, Robertson, Shanks, Shannon, Short, Taylor, Thomas, Tibbatts, True, Venable, White, G. W. Williams, S. Williams, E. J. Wilson and Worthington—50.

NAYS—Messrs. Anderson, B. Allen, Barlow, Beaseman, Boyd, Bruce, Burns, Cassidy, Coleman, Daniel, Dougherty, Durham, Hardy, Harlan, Harris, Hays, Heady, Hill, Hughes, Irwin, H. Jones, Kouns, Long, M'Brayer, Mize, Murphy, Parks, Preston, Rice, Rodes, Rucker, Sisk, Smith, Walker, Wheeler, W. J. Williams, W. C. Wilson, Woolfolk and Yates—39.

The question was then put on the second division of the question, to allow the Register \$400.

Which was decided in the affirmative.

It was then again moved by Mr. Daniel to strike out the sum of *sixty dollars* per week to the clerks of the Senate and House of Representatives.

And the question being taken thereon, it was decided in the negative, the house being equally divided.

The yeas and nays being required thereon by Messrs. Burns and Daniel, were as follows, viz.

YEAS—Messrs. Anderson, B. Allen, Barlow, Beaseman, Boyd, Bruce, Burns, Cassidy, Chambers, Coleman, Crow, Daniel, Dougherty, Durham, Elliott, Fisher, Griffith, Hardy, Harris, Harrison, Heady, Hill, Hise, Irwin, J. H. Jones, H. Jones, Kouns, Laughlin, Long, M'Brayer, McDonald, Mize, Morris, Parks, Porter, Preston, Rice, Robertson, Rodes, Rucker, Sisk, Walker, Wheeler, W. C. Wilson, Woolfolk, Wright and Yates—46.

NAYS—Mr. Speaker, Messrs. W. B. Allen, Bailey, Beall, Beauchamp, Brown, Butler, G. Calhoun, J. Calhoun, Combs, Cox, Declary, Field, Guthrie, Harlan, Hawes, Hays, Head, Hughes, James, Jonas, Johnston, Kennedy, Lewright, Love, C. S. Morehead, J. T. Morehead, Murphy, Oglesby, Owsley, Parker, Roberts, Shanks, Shannon, Short, Smith, Taylor, Thomas, Tibbatts, True, Venable, White, G. W. Williams, S. Williams, W. J. Williams, E. J. Wilson and Worthington—46.

It was then moved and seconded, to strike out from said bill the sum of *thirty dollars* per week, the sum proposed to be allowed to the assistant clerks of the Senate and House of Representatives.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hardy and Rucker, were as follows:

YEAS—Mr. Speaker, Messrs. W. B. Allen, Burns, G. Calhoun, Cassidy, Chambers, Daniel, Declary, Guthrie, Harlan, Hise, Johnston, Long, Love, C. S. Morehead, J. T. Morehead, Oglesby, Parker, Parks, Penn, Porter, Preston, Rucker, Shannon, Thomas, Tibbatts, True, White, E. J. Wilson and W. C. Wilson—30.

NAYS—Messrs. Anderson, B. Allen, Barlow, Bailey, Beaseman, Beall, Beauchamp, Brown, Bruce, Butler, Coleman, Combs, Cox, Dougherty, Durham, Elliott, Field, Fisher, Griffith, Hardy, Harris, Hawes, Hays, Heady, Hughes, Jonas, J. H. Jones, H. Jones, Kennedy, Laughlin, McDonald, Mize, Morris, Owsley, Ray, Rice, Roberts, Robertson, Rodes, Shanks, Short, Sisk, Smith, Taylor, Walker, S. Williams, W. J. Williams, Woolfolk, Worthington, Wright and Yates—51.

The said bill was then ordered to be engrossed and read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

A message from the Senate by Mr. Hardin:

Mr. Speaker—The Senate disagree to the amendments proposed by this House to a bill from the Senate, entitled an act further to regulate the Bank of the Commonwealth, and solicit the appointment of a committee of conference on the subject of said amendments.

Whereupon, Messrs. Guthrie, Love, J. Calhoun, Combs, Butler, G. Calhoun, Anderson and Hawes, were appointed a committee on the part of this House.

The following engrossed bills were severally read a third time:

1. An act requiring public ware-house keepers to execute bond with approved security to the county courts of their respective counties, for all property stored with them, and for other purposes; and

2. An act for the benefit of the Louisville Hospital.

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The yeas and nays being required on the passage of the second bill, by Messrs. Wright and Guthrie, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Anderson, Baily, Beall, Beauchamp, Brown, Butler, G. Calhoun, J. Calhoun, Chambers, Cox, Declary, Dougherty, Fisher, Guthrie, Hawes, Heady, Hise, James, Jonas, Johnston, H. Jones, Kennedy, Lewright, Long, Love, C. S. Morehead, J. T. Morehead, Owsley, Parker, Porter, Roberts, Rodes, Shannon, Short, Taylor, Thomas, Tibbatts, White, G. W. Williams, E. J. Wilson, Worthington, and Yates—42.

NAYS—Messrs. B. Allen, Barlow, Beaseman, Boyd, Burns, Cassidy, Crow, Daniel, Durham, Elliott, Harlan, Harris, Harrison, Hays, Head, Hill, Hughes, Irwin, J. H. Jones, Laughlin, M'Brayer, Mize, Morris, Murphy, Oglesby, Parks, Preston, Ray, Rice, Sisk, Smith, True, Venable, Walker, Wheeler, S. Williams, W. J. Williams, Woolfolk and Wright—39.

Ordered, That the clerk carry said bills to the Senate and request their concurrence.

An engrossed bill entitled "an act to provide for building a bridge across Rough Creek, at the town of Hartford," was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Richard Elliott, Samuel O. Peyton, William M. Davis, Philip Johnston, Henry Stevens, Higginson Belt, Samuel Bennet and William C. Rowan, be, and they are hereby appointed commissioners, a majority of whom may act, to open books of subscription for the purpose of building a bridge across Rough Creek, at the town of Hartford, in the county of Ohio; and it shall be the duty of said commissioners, to open such books, receive subscriptions, and let out the building of said bridge to the lowest bidder, or otherwise contract for the same, and to take bond with approved security from the undertaker or undertakers, for the faithful performance of the work, in the manner to be prescribed by the commissioners; and they shall have power to sue for, and collect the subscriptions by law.

§ 2. *Be it further enacted*, That whenever the sum of one thousand dollars, in gold or silver coin, is subscribed, and paid over to said commissioners, for the purpose aforesaid, the Cashier of the Branch Bank of the Commonwealth of Kentucky, at Hartford, shall be, and he is hereby authorized, to pay over to said commissioners, the sum of one thousand dollars, in gold or silver coin, in aid of the subscriptions for the purpose of building said bridge.

§ 3. *Be it further enacted*, That the said commissioners shall, before they proceed to perform their duties under this act, enter into bond in the county court of Ohio county, with good and sufficient security, to be approved of by said court, in the penalty of at least four thousand dollars, and made payable to the Commonwealth of Kentucky, and may, at all times, be put in suit in the

name of the Commonwealth, for the recovery of damages from said commissioners, in case they should be guilty of a breach of any of its conditions, or where they shall fail to apply, or shall misapply the funds in their hands, or placed at their disposal, for the purpose of building said bridge.

§ 4. *Be it further enacted*, That said bridge shall be erected on stone piers, and the distance between said piers shall not be less than seventy feet, and shall be of sufficient height to admit of the free passage of boats at all stages of the water.

§ 5. *Be it further enacted*, That if the sum authorized to be subscribed by this act, with the sum to be drawn from the branch bank at Hartford, should not be sufficient to erect said bridge, the commissioners are hereby authorized to raise the balance by subscriptions, or from the accruing profits of said bridge, erecting a gate and appointing a toll gatherer for that purpose, which tolls shall not exceed the rates of the present ferry: *Provided, however*, That those who may subscribe to the amount of ten dollars, shall pass free of toll: *And provided, also*, That the cashier shall not pay to said commissioners, the aforementioned sum, until the amount of one thousand dollars is raised in the manner directed in the second section of this act.

§ 6. *Be it further enacted*, That after the completion of said bridge, it shall always be the duty of the county court of Ohio county, to keep said bridge in good repair, and upon failure to do the same, shall be presented by the grand jury of said county, and fined.

§ 7. *Be it further enacted*, That if any of the commissioners herein named, shall fail or refuse to act, it shall be the duty of the county court of said county, to appoint some person as commissioner, to fill such vacancy, who, when appointed, shall in every respect, perform the same duties enjoined by this act, and be subject to the same penalties as the commissioner or commissioners herein named, would have been subjected, had he or they acted in pursuance thereof.

§ 8. *Be it further enacted*, That it shall be the duty of said commissioners, on or before the first Monday in April next, or as soon thereafter as may be practicable, to meet in the town of Hartford, and commence their duties enjoined by this act.

§ 9. *Be it further enacted*, That the said commissioners or their successors, may contract for, and receive to the Commonwealth, a conveyance or conveyances for scites for the abutments and piers for said bridge; and in the event the scites for the abutments and piers, cannot be had on reasonable terms by private contract, then, and in that case, the commissioners shall apply to the county court of Ohio county, for a writ of *ad quod damnum*, and have the necessary scite or scites condemned in like manner as in all other cases of condemning ground for public roads and mills; and it shall be the duty of the jury in assessing the damages, to

take into consideration, as well the advantages resulting to the owners of the land from the building of the bridge, as the injury accruing to them from the destruction of the ferry.

§ 10. *Be it further enacted*, That the State reserves to herself, at all times hereafter, the right to make said bridge a toll bridge, under such rules and regulations as the General Assembly may prescribe, so as to draw her proportionable part of the nett profits of the tolls.

§ 11. *Be it further enacted*, That if it shall appear, after the said bridge is built, that it obstructs the navigation of the creek, it shall be lawful for any person to file his petition in the Ohio circuit court, against the commissioners of said bridge, setting forth the facts; and the court of chancery in the county of Ohio, shall have power and jurisdiction to hear and determine the same; and if the said court shall, under all the circumstances, be of opinion that the continuance of said bridge, would be materially injurious to the navigation of said stream, they shall direct the same to be abated and removed.

§ 12. *Be it further enacted*, That unless the one thousand dollars mentioned in the second section of this act, be subscribed and paid to the commissioners, on or before the first Monday of October next, all the powers hereby vested in them, shall cease and determine.

§ 13. *Be it further enacted*, That in the event of the said bridge being destroyed or abated after it is built, the right to keep a ferry across the said creek, shall vest in the present proprietors or their assignees, without a re-establishment by the county court, until said bridge is rebuilt.

§ 14. *Be it further enacted*, That the said commissioners shall be allowed one dollar per day for their services.

§ 15. *Be it further enacted*, That this act shall not be construed to destroy said ferry, only so far as the erection of said bridge may produce that effect.

And the question being taken on the passage thereof, it was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Yates and Crow, were as follows, viz:

YEAS—Messrs. Bailey, G. Calhoon, J. Calhoon, Cassidy, Crow, Guthrie, Harrison, Hawes, Heady, Johnston, Kennedy, Kouns, Lewright, Love, McDonald, C. S. Morehead, J. T. Morehead, Oglesby, Parker, Porter, Preston, Rucker, Shannon, Short, Smith, Tibbatts, White, G. W. Williams and E. J. Wilson—29.

NAYS—Mr. Speaker, Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Beaseman, Beall, Beauchamp, Boyd, Brown, Burns, Chambers, Coleman, Combs, Daniel, Declary, Dougherty, Durham, Elliott, Field, Fisher, Harris, Hays, Hill, Irwin, James, Jonas, J. H. Jones, H. Jones, Long, M'Brayer, Morris, Owsley, Ray, Rice, Roberts, Rodes, Sisk, Taylor, Thomas, True,

Walker, Wheeler, S. Williams, W. J. Williams, Woolfolk, Worthington, Wright and Yates—49.

A message from the Senate by Mr. Stonestreet:

Mr. Speaker—The Senate concur in the amendment proposed by this House, to a bill from the Senate, entitled “an act to add a part of Ohio to Daviess county.”

They have passed bills which originated in this House of the following titles:

An act for the benefit of William Bartlett and others.

An act to change the tobacco inspection in the town of Eddyville.

An act further to regulate the town of Pikesville, in Pike county: and

An act to authorize the sale of the seminary lands in Perry county.

They concur in the report of the committee of conference, in regard to the amendments proposed by the Senate, to a bill from this house, entitled an act to incorporate the Louisville Mutual Fire Insurance Company; and they recede from their amendment proposed to a bill from this House, entitled an act for the benefit of William Greathouse.

And then the House adjourned.

THURSDAY, JANUARY, 28, 1830.

A message from the Senate by Mr. Pollard:

Mr. Speaker—The Senate disagree to a bill which originated in this House, of the following title:

An act for the benefit of Solomon Jenkins.

They have passed bills which originated in this house of the following titles:

An act for the relief of the creditors and heirs of Thomas McKee, and of David Wilson, dec'd.

An act for the benefit of Thomas J. Wathen and Amelia Wathen.

An act for the benefit of the Cumberland Hospital.

An act for the benefit of Gideon Granger.

An act to authorize the county court of Green county, so to regulate the constables' districts in said county, as to reduce the number to nine.

They have passed a bill which originated in the Senate, entitled an act to amend the several laws against unlawful gaming.

In the passage of which bill they request the concurrence of this House.

Mr. Guthrie from the committee of conference to whom was referred the amendments proposed by this House, to a bill which originated in the Senate, entitled an act further to regulate the

Bank of the Commonwealth, made a report, which was concurred in.

Ordered, That the clerk inform the Senate thereof, and request their concurrence.

A message was received from the Governor, informing this House, that he did on the 27th inst. approve and sign enrolled bills and a resolution which originated in this House, of the following titles:

An act to incorporate a company to erect a bridge across Licking river, between the towns of New Port and Covington.

An act to declare Big Caney a navigable stream.

An act concerning the towns of Versailles and Danville.

An act in relation to the clerks of county courts.

An act for the benefit of Thomas Lewis and Minerva Laswell: also,

A joint preamble and resolutions declaring the power of Congress to pass Tariff laws, and to make Internal Improvements within the several States.

Ordered, That the clerk inform the Senate thereof.

Mr. Combs from the committee of ways and means, to whom was referred, a bill to amend the laws regulating the mode of collecting the revenue and county levy of this Commonwealth; also, a bill to provide for withdrawing the branches, and further to regulate the Bank of the Commonwealth, reported the same without amendment.

Ordered, That the said bills be laid on the table.

On motion,

Ordered, That the committee of ways and means be discharged from the further consideration of the petition of Thomas Freeman.

Mr. Johnston read and laid on the table, the following resolution:

Resolved by the Senate and House of Representatives of the Commonwealth of Kentucky, That the joint resolution heretofore adopted, to adjourn without day on Friday the 29th instant, be and the same is hereby rescinded; and that when the Senate and House of Representatives adjourn on the day of February, they will adjourn without day.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. J. Calhoun from the committee of propositions and grievances—

1. A bill changing the place of voting in an election precinct in Butler county, and to allow an additional justice of the peace and constable to Franklin county: and

2. A bill to repeal the law allowing pay for wolf scalps.

Which bills were severally received and read the first time,

the first ordered to be read a second time, and the second was laid on the table.

And thereupon the rule of the House, constitutional provision and second and third readings of the first bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate, and request their concurrence.

A message from the Senate by Mr. Pollard:

Mr. Speaker—The Senate have received official information, that the Governor has approved and signed enrolled bills which originated in the Senate of the following titles:

An act to change the name, and to authorize the election of trustees to the town of Connersville, Boone county.

An act to regulate the fees of the Clerk of the Court of Appeals, and other clerks.

An act to amend the law in relation to crimes committed on the Ohio, Mississippi and Big Sandy Rivers.

An act to change the boundary line between Rockcastle and Laurel counties.

An act for the benefit of the widow and heirs of Robinson, Shelburn, deceased.

An act to amend the several laws concerning the trustees of the town of Lexington.

An act for the benefit of Kitty B. Gray, and the President and Directors of the Greensburg Branch Bank.

An act to amend "an act appointing commissioners to lay off and mark a State Road from Harrodsburg to Smithland, in Livingston county," approved 9th February, 1828.

An act for the benefit of John Hogan.

An act to incorporate the Lexington and Ohio Rail Road Company.

And they have passed bills which originated in this house of the following titles:

An act to incorporate a company to build a bridge across Salt river, at the town of Taylorsville.

An act to provide for the erection of two bridges across Rockcastle river: and

An act to provide for surveying and improving the road from the mouth of Big Sandy to Lexington.

On motion,

Ordered, That the committee of the whole house be discharged from the further consideration of a bill to amend the revenue laws of this Commonwealth, and a bill in relation to tavern keepers and retailers of spirituous liquors.

The former bill was then taken up and read.

It was then moved and seconded, to fill the blank with "*ten cents*," "*as the amount of tax to be hereafter collected on each hundred dollars worth of taxable property*"

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. B. Allen and Daniel, were as follows:

YEAS—Mr. Speaker, Messrs. Bailey, Beauchamp, Brown, Butler, G. Calhoun, J. Calhoun, Chambers, Combs, Cox, Declary, Field, Guthrie, Johnston, Kennedy, C. S. Morehead, J. T. Morehead, Morris, Parker, Shannon, Taylor, Venable, G. W. Williams, E. J. Wilson and Worthington—25.

NAYS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Beaseman, Beall, Boyd, Bruce, Burns, Cassidy, Coleman, Crow, Daniel, Dougherty, Durham, Elliott, Fisher, Harlan, Harris, Harrison, Hawes, Hays, Head, Heady, Hill, Hise, Hughes, Irwin, Jonas, J. H. Jones, H. Jones, Kouns, Laughlin, Lewright, Long, Love, M'Brayer, McDonald, Murphy, Owsley, Parks, Penn, Preston, Ray, Rice, Roberts, Rodes, Rucker, Short, Sisk, Smith, Thomas, Tibbatts, True, Walker, Wheeler, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Wright and Yates—62.

It was then moved and seconded to lay the said bill on the table:

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chambers and Mize, were as follows:

YEAS—Messrs. Anderson, B. Allen, Barlow, Beaseman, Boyd, Brown, Burns, Coleman, Crow, Daniel, Dougherty, Durham, Elliott, Hardy, Harlan, Harris, Hays, Head, Heady, Hill, Irwin, Kouns, Laughlin, Long, McBrayer, McDonald, Mize, Owsley, Parks, Penn, Preston, Ray, Rice, Roberts, Smith, Walker, Wheeler, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk and Wright—42.

NAYS—Mr. Speaker, Messrs. W. B. Allen, Bailey, Beall, Beauchamp, Bruce, Butler, G. Calhoun, J. Calhoun, Cassidy, Chambers, Combs, Cox, Declary, Field, Fisher, Harrison, Hawes, Hise, Hughes, Jonas, Johnston, J. H. Jones, H. Jones, Kennedy, Lewright, Love, C. S. Morehead, J. T. Morehead, Morris, Murphy, Oglesby, Parker, Porter, Rodes, Rucker, Shannon, Short, Sisk, Taylor, Thomas, Tibbatts, True, Venable, White, G. W. Williams, E. J. Wilson, Worthington and Yates—49.

It was then moved and seconded, to fill the said blank with *eight cents*.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. B. Allen and Mize, were as follows, viz:

YEAS—Mr. Speaker, Messrs. Bailey, Beauchamp, Butler, G. Calhoon, J. Calhoon, Chambers, Cox, Declary, Field, Harrison, Hawes, Johnston, Kennedy, C. S. Morehead, Morris, Parker, Porter, Shanks, Shannon, Short, Taylor, Thomas, True, Venable, White, G. W. Williams, E. J. Wilson and Worthington—29.

NAYS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Beaseman, Beall, Boyd, Brown, Bruce, Burns, Cassidy, Coleman, Combs, Crow, Daniel, Dougherty, Durham, Elliott, Fisher, Hardy, Harlan, Harris, Hays, Head, Heady, Hill, Hise, Hughes, Irwin, Jonas, J. H. Jones, H. Jones, Kouns, Laughlin, Lewright, Long, Love, McBrayer, McDonald, Mize, Murphy, Oglesby, Owsley, Parks, Penn, Preston, Ray, Rice, Roberts, Rodes, Rucker, Sisk, Smith, Tibbatts, Walker, Wheeler, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk, Wright and Yates—62.

An amendment having been moved by Mr. Hawes, and adopted:

Mr. G. Calhoon moved the following as an amendment to the bill, as an additional section:

“Be it further enacted, That hereafter each practising lawyer within this Commonwealth, shall pay a tax of five dollars per annum, to be collected as other revenue taxes are now collected by law.”

It was then moved and seconded to lay the said bill on the table until the first day of June next:

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hawes and Daniel, were as follows, viz:

YEAS—Messrs. Anderson, B. Allen, Barlow, Beaseman, Burns, Combs, Crow, Daniel, Dougherty, Durham, Elliott, Hardy, Harlan, Harris, Hays, Head, Hill, Hughes, Irwin, Johnston, Kouns, Long, McBrayer, Mize, Owsley, Parker, Ray, Rice, Roberts, Robertson, Smith, Walker, White, S. Williams, W. J. Williams, W. C. Wilson, Woolfolk and Wright—38.

NAYS—Mr. Speaker, Messrs. W. B. Allen, Bailey, Beall, Beauchamp, Boyd, Brown, Bruce, Butler, G. Calhoon, J. Calhoon, Cassidy, Chambers, Cox, Declary, Field, Fisher, Harrison, Hawes, Hise, Jonas, J. H. Jones, H. Jones, Kennedy, Laughlin, Lewright, Love, McDonald, J. T. Morehead, Morris, Murphy, Oglesby, Penn, Porter, Preston, Rodes, Rucker, Shannon, Short, Sisk, Taylor, Thomas, Tibbatts, True, Venable, Wheeler, G. W. Williams, E. J. Wilson, Worthington and Yates—50.

Mr. J. T. Morehead from the select committee to whom was referred, a bill from the Senate, entitled an act to remove the obstructions to the navigation of Rough Creek, Pond River and Trade Water, reported the same without amendment.

And the said bill was then ordered to be read a third time.

And thereupon the rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill, by Messrs. Daniel and Mize, were as follows:

YEAS—Mr. Speaker, Messrs. Anderson, Bailey, Beauchamp, Boyd, Bruce, Burns, Butler, G. Calhoun, J. Calhoun, Chambers, Crow, Declary, Field, Fisher, Guthrie, Hardy, Hawes, Heady, Hughes, James, Jonas, Kennedy, Kouns, Laughlin, Lewright, Love, M'Donald, Mize, C. S. Morehead, J. T. Morehead, Morris, Oglesby, Parker, Parks, Penn, Porter, Roberts, Rucker, Shannon, Short, Sisk, Smith, Taylor, Thomas, Tibbatts, Venable, Walker, White, G. W. Williams, E. J. Wilson and Yates—52.

NAYS—Messrs. B. Allen, W. B. Allen, Barlow, Beaseman, Beall, Cassidy, Coleman, Cox, Daniel, Dougherty, Durham, Harris, Hays, Irwin, J. H. Jones, Long, M'Brayer, Murphy, Owsley, Rice, Robertson, Rodes, True, Walker, S. Williams, W. J. Williams and Wright—23.

Ordered, That the clerk inform the Senate thereof.

A message was received from the Senate announcing their concurrence in the report of the committee of conference on the subject of the amendments of this house, to a bill which originated in the Senate, entitled an act further to regulate the Bank of the Commonwealth.

The passage of bills which originated in this house of the following titles:

An act for the benefit of the Christian Academy: and

An act to incorporate the Green and Barren river navigation company.

With amendments to the latter bill.

They have adopted a resolution for viewing a State road from Frankfort, by New Castle, to King's ferry, on the Ohio river: and

They have adopted a resolution from this house, fixing on a day to elect Directors of the Bank of the Commonwealth of Kentucky, and Presidents and Directors to the Branch Banks of the Commonwealth.

The amendments proposed by the Senate to a bill from this House, entitled an act to incorporate the Green and Barren river navigation company, were twice read and concurred in.

Ordered, That the clerk inform the Senate thereof.

A resolution from the Senate, for viewing a State road from Frankfort, by way of New Castle, to King's ferry on the Ohio river, was taken up, twice read and concurred in, with an amendment.

Ordered, That the clerk inform the Senate thereof, and request their concurrence in said amendment.

A bill from the Senate entitled an act repealing all laws allowing licences to billiard table keepers, and for other purposes, was read a third time and laid on the table.

An engrossed bill entitled an act for improving the navigation of Little Sandy river, was read a third time.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

The following bills were severally read a second time:

1. A bill to permit Nicholas Jasper to peddle in this State without a license.
2. A bill to divorce Daniel Dulaney from his wife Sally Dulaney, late Sally Neville.
3. A bill to provide for periodically digesting the Statute Laws of this Commonwealth.
4. A bill to amend the act entitled an act to reduce into one the several acts directing the course of descents.

The first and second were ordered to be engrossed and read a third time, and the third and fourth were laid on the table until the first day of June next.

And thereupon, the rule of the House, constitutional provision and second and third readings of the first and second bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the clerk carry the said bills to the Senate and request their concurrence.

Mr. James, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz.

An act for the benefit of Micajah V. Harrison, and for other purposes.

An act further to regulate the town of Pikeville in Pike county.

An act for the benefit of William Bartlett and others.

An act for the benefit of William Greathouse.

An act to change the tobacco inspection in the town of Eddyville.

An act to amend the act entitled an act to incorporate the Lexington and Frankfort Turnpike or Rail Road Company.

An act to authorize the sheriff of Monroe county to execute bond for the collection of the revenue tax and county levy of said county.

An act for the benefit of William M'Clain, deputy sheriff of Estill county.

An act requiring salt works to be enclosed.

An act to authorize James G. Lindsey of Campbell county to remove his ferry.

An act to organize a fire company in the town of Augusta.

An act to add a part of Ohio to Daveiss county.

An act to change the time of holding the Bullitt circuit court.

An act to extend the Turnpike and Wilderness Road to Crab Orchard.

An act to provide for the erection of a bridge across Kentucky river, near the mouth of Benson.

An act for the benefit of the shareholders in the Louisville Insurance Company.

An act for the benefit of John L. Elliott.

An act to amend the laws in relation to the trustees of towns, and for other purposes.

An act for the benefit of the devisees of Benjamin Threlkeld and Plummer Thurston.

An act for the benefit of the heirs of Benjamin Mason, deceased.

An act for the benefit of Gabriel L. Bourland.

An act to change the time of holding the Edmondson and Barren county courts, and for other purposes.

An act for the benefit of Jane Wright Latty and Nancy Davis Latty.

An act appropriating certain vacant lands to the improvement of the public roads in the counties of Russell, Monroe, Allen and Cumberland.

An act to appropriate some of the vacant land in Casey and Wayne counties to improve the roads in said counties.

An act for the benefit of Wayne, Russell and Fayette counties.

An act for the benefit of Polly Flowers.

An act requiring the clerk of the court of appeals to deliver over certain records to the Register of the land office.

An act to amend the several acts incorporating the Louisville Turnpike Company, and for other purposes.

An act allowing additional justices of the peace and constables to certain counties.

An act for the benefit of Francis Maraman and others.

An act for the purpose of opening a road from Bell's in Barren county, to the cross roads, near the Simpson county line and the Tennessee State line.

An act to amend the law concerning slaves, and for other purposes; and

An act to incorporate the Kentucky Hemp Manufacturing and Exporting Company.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. James inform the Senate thereof.

The following bills from the Senate were severally read the first time:

1. An act further to regulate the Bank of Kentucky.
2. An act to alter the time of holding certain circuit courts.
3. An act to amend the law in relation to opening and repairing the public roads in certain counties.
4. An act to curtail the powers of the county court of Henry.
5. An act to provide for opening a road from New-Liberty, in Owen county, to Fredericksburg, in Gallatin county.
6. An act for the benefit of the Pike county court.
7. An act for the benefit of Jesse Combs.
8. An act to furnish certain officers with the digest of the Statutes.
9. An act to repeal part of an act regulating ferries on the Tennessee river and part of Cumberland river, approved January 19, 1829.
10. An act to alter the time of holding the Hopkins county court.
11. An act to authorize the Commonwealth to prosecute writs of error in certain cases.
12. An act to amend the forfeiture law in relation to actual settlers.
13. An act to provide for opening a State road from Frankfort to intersect the State road from Lexington to Ghent, at or near Owenton.

The 1st, 2d, 3d, 4th, 5th, 7th, 8th, 10th, 11th, 12th and 13th, were severally ordered to be read a second time; the 6th and 9th were laid on the table.

And thereupon the rule of the house, constitutional provision and second and third readings of the 1st, 2d, 3d, 4th, 5th, 7th, 8th, 10th, 11th and 13th bills having been dispensed with, (the 2d and 3d being amended,)

Resolved, That the said bills do pass and that the titles thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof and request their concurrence in the amendments to the second and third bills.

The following bills from the Senate were severally read a second time and ordered to be read a third time, viz.

1. An act for the benefit of the widow and heirs of Elias Cox, deceased.
2. An act for the benefit of Robert C. Harrison and others.
3. An act for the benefit of the heirs of James Jennings, deceased.

And thereupon the rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the said bills do pass and that the titles thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof.

Mr. J. T. Morehead, from the committee on internal improvements, to whom was referred a bill to incorporate the Licking

River Navigation Company, reported the same with an amendment.

It was then moved and seconded, to amend said amendment by striking out \$5000. the amount authorized to be subscribed on the part of the State as stock in said company.

And the question being taken on adopting the proposed amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Daniel and B. Allen, were as follows:

YEAS—Messrs. Anderson, B. Allen, W. B. Allen, Barlow, Beall, Boyd, Brown, Cox, Daniel, Durham, Elliott, Harlan, Harris, Hays, Head, Hill, Hughes, Irwin, H. Jones, Laughlin, Long, McBrayer, Mize, Murphy, Owsley, Preston, Ray, Rice, Robertson, Rodes, Rucker, Sisk, Tomlinson True, Walker, S. Williams, W. J. Williams, Woolfolk, Worthington, Wright and Yates—41.

NAYS—Mr. Speaker, Messrs. Bailey, Beaseman, Beauchamp, Bruce, Burns, G. Calhoon, J. Calhoon, Cassidy, Chambers, Coleman, Combs, Declary, Dougherty, Field, Fisher, Guthrie, Hardy, Hawes, Heady, Jonas, Johnston, J. H. Jones, Kennedy, C. S. Morehead, J. T. Morehead, Morris, Oglesby, Parker, Parks, Penn, Porter, Roberts, Shanks, Short, Smith, Taylor, Thomas, Tibbatts, Venable, Wheeler, White, G. W. Williams, E. J. Wilson and W. C. Wilson—46.

The said bill was then postponed for the present.

A message from the Senate by Mr. Pollard:

Mr. Speaker—The Senate have passed bills which originated in this House of the following titles:

An act appropriating some of the vacant lands in Laurel, Clay and Knox counties, to the improvement of a road.

An act to encourage the general diffusion of education, by the establishment of an uniform system of public schools; and

An act for the appropriation of money, with amendments to the two latter bills.

And they disagree to the second and concur in the other amendments proposed by this house to a bill from the Senate entitled "an act to alter the time of holding certain circuit courts," with amendments; in which, they request the concurrence of this house.

The amendments proposed by the Senate to an act for the appropriation of money, were twice read and concurred in.

Ordered, That the clerk inform the Senate thereof.

The House proceeded to reconsider their second amendment proposed by this House to a bill from the Senate, entitled an act to alter the time of holding certain circuit courts, and the amendments proposed by the Senate upon concurring in the amendment proposed by this House.

Resolved, That this House recede from their second amend-

ment proposed to said bill and concur in the Senate's amendments.

Ordered, That the clerk inform the Senate thereof.

And then the House adjourned.

FRIDAY, JANUARY 29, 1830.

A message from the Senate by Mr. Stonestreet:

Mr. Speaker—The Senate have adopted a resolution which originated in this House, offering a reward for the discovery of the cause and specific cure for the disease known by the name of the milk sickness.

They have passed bills which originated in this House, of the following titles:

An act for the benefit of the devisees of John Faris, deceased.

An act for the benefit of Eaton Good.

An act defining and declaring the true boundary line between Greenup and Lawrence counties.

An act to amend the election laws of this State.

An act for the benefit of Jarret Willingham.

An act allowing an additional justice of the peace for the county of Allen.

An act for the benefit of the heirs of James Frazer, deceased.

An act allowing a representative to the City of Louisville.

An act to authorize the copying of certain books in the Surveyor's office of Clay county.

An act concerning the Auditor's and Treasurer's offices, and for other purposes.

An act to enable the infant heirs of John Bruce, deceased, to convey certain lands.

An act to amend the Charter of the City of Louisville.

An act to incorporate a company to turnpike a road from Frankfort by way of Versailles to Lexington.

An act for the benefit of witnesses, clerks, sheriffs and other officers.

An act to amend and regulate the action of replevin.

An act to appropriate the fines and forfeitures of Hardin, Green and Campbell counties, to the use of their respective county seminaries.

An act for the improvement of the road from Mount Sterling by way of Irvine and Manchester, to intersect the Wilderness State Road.

An act to incorporate the Bryant Station Turnpike Road Company.

An act to constitute a board of internal improvement for Shelby county.

With amendments to the eleven last bills; in which they request the concurrence of this House.

The said amendments were then taken up, twice read and concurred in.

Ordered, That the clerk inform the Senate thereof.

The amendments proposed by the Senate to a bill which originated in this House, entitled an act to encourage the general diffusion of education by the adoption of an uniform system of public schools, were taken up and read.

It was then moved and seconded, to lay the said bill and amendments on the table until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rodes and Tibbatts, were as follows:

YEAS—Messrs. Beall, J. Calhoun, Cassidy, Cox, Daniel, Elliott, Harris, Hill, Irwin, M'Brayer, Mize, Murphy, Owsley, Preston, Ray, Rodes, Rucker, Short, Smith, True, Walker, S. Williams, W. J. Williams, Woolfolk and Yates—25.

NAYS—Mr. Speaker, Messrs. Anderson, W. B. Allen, Bailey, Beaseman, Beauchamp, Brown, Bruce, Burns, Butler, G. Calhoun, Chambers, Combs, Crow, Declary, Durham, Field, Guthrie, Hardy, Harlan, Harrison, Hawes, Hays, Head, Heady, Hise, Hughes, Jonas, J. H. Jones, H. Jones, Kennedy, Kouns, Laughlin, Long, J. T. Morehead, Morris, Parker, Penn, Porter, Rice, Robertson, Shanks, Shannon, Taylor, Thomas, Tibbatts, Venable, Wheeler, White, G. W. Williams, W. C. Wilson, Worthington and Wright—54.

The said amendments were then concurred in.

Ordered, That the clerk inform the Senate thereof.

Mr. White, from the joint committee appointed to examine the Treasurer's office, made the following report:

The joint committee of the Senate and House of Representatives have discharged the duties to them assigned, of examining the Treasurer's office. They have compared each voucher with its entry, for the year ending the 10th of October, 1829, and having found them all correctly entered, they caused the vouchers for the payment of money to be destroyed. The statement heretofore reported by the Treasurer, exhibits the situation of the Treasury. All of which is respectfully submitted.

LEONARD STEPHENS,
JOHN HUGHES,
DAVID K. HARRIS,

Committee of the Senate.

LEE WHITE,
GEO. CALHOON,
GEO. VENABLE,
SIMEON H. ANDERSON,
THOMAS JAMES,
GEO. W. JOHNSTON,

Committee of the House of Representatives.

The House took up for consideration the joint resolution offered by Mr. Smith for employing counsel to defend the constitutionality of the seven years limitation law before the supreme court of the United States.

Which being read and amended, was adopted.

Ordered, That the clerk carry the said bill to the Senate and request their concurrence.

The amendment proposed by the committee on internal improvements to a bill to incorporate the Licking river Navigation Company, was read and concurred in.

And the said bill, as amended, ordered to be engrossed and read a third time.

A message from the Senate by Mr. Pollard.

Mr. Speaker—The Senate disagree to bills which originated in this House of the following titles:

An act to exempt the United States mail carriers from the payment of toll on the Turnpike and Wilderness road.

An act for the benefit of Edward Loe.

An act for the benefit of Jacob Hobbs; and

An act to divorce Daniel Dulaney from his wife Sally Dulaney.

They have passed a bill which originated in this house, entitled an act to incorporate the trustees of the Male and Female Orphan Asylum at Middletown.

And they have passed a bill entitled an act to alter the time of holding the Lewis circuit court.

In which last named bill they request the concurrence of this House.

The said bill was then taken up and read the first time and ordered to be read the second time.

And thereupon, the rule of the house, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Pollard:

Mr. Speaker—The Senate have passed bills which originated in this House of the following titles:

An act for the benefit of James Morse.

An act concerning the court of appeals.

An act for the benefit of the High School in the City of Louisville and the Male and Female Orphan Asylum at Middletown; and

An act to authorize the insertion of advertisements in the Lancaster Journal, a newspaper printed at Lancaster.

And they have adopted a resolution to appropriate one of the

rooms in the capitol to the use of the Secretary of State, for the purpose of preserving the public books and other public property in his office.

In which resolution they request the concurrence of this House.

The said resolution was then taken up, twice read and concurred in.

Ordered, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Pollard:

Mr. Speaker—The Senate have passed a bill entitled an act further to regulate the Meade circuit court.

In which bill they request the concurrence of this House.

The said bill was then taken up and read the first time and ordered to be read a second time.

And thereupon the rule of the house, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That the said bill do pass and that the title thereof be as aforesaid.

Ordered, That the clerk inform the Senate thereof.

Mr. J. T. Morehead from the committee on internal improvements made the following report, viz.

The committee on internal improvements, to whom was referred the report of the Commissioners appointed at the last session of the General Assembly to review a road from Columbus to the State line, in the direction to Paris, Tennessee, and the remonstrance of sundry citizens of Hickman against the same, ask to be discharged from the further consideration thereof.

Which being twice read was concurred in.

On motion—

Ordered, That the committee of propositions and grievances be discharged from the further consideration of the petition to amend the Charter of the City of Louisville.

Mr. Anderson read and laid on the table the following resolution:

Resolved, That hereafter in the election of public officers, both houses of the General Assembly will meet in the hall of the House of Representatives, and proceed to elect officers by joint ballot.

And thereupon the rule of House heving been dispensed with, the said resolution was twice read and laid on the table.

A message was received from the Senate announcing their readiness now to proceed to the election of Directors for the Bank of the Commonwealth of Kentucky and for Presidents and Directors of the Branches of said Bank; and that in conducting said elections they would be governed by the following rule, viz. "That no person on the nomination should be dropped until the requisite number should each receive a majority of the members of both houses voting for said officers."

The House then proceeded, (having adopted said rule,) after exchanging nominations with the Senate, to said election, and after taking two votes for Directors of said bank, and a vote for Presidents and Directors of the several Branches, and having said votes compared by a joint committee appointed for that purpose, the following gentlemen were reported to be and were declared duly elected to those offices, viz.

For Directors of the Bank of the Commonwealth—Edward P. Johnson, Thomas S. Page, Moses B. Morrison and James Davidson.

And for President and Directors of the Branches, the following gentlemen:

Flemingsburg Branch Bank—James Alexander, President; James Crawford, John Donaldson, L. W. Andrews, Thomas W. Fleming, John Dougherty, Charles Ward, James Morris, Aaron Owens and Larkin Anderson, Directors.

Falmouth Branch Bank—Francis Chalfant, President; James Naylor, Thomas G. Hall, John M'Kee, Samuel P. Hewser, Enoch Worthen, Lewis Webb, James G. Arnold and Samuel T. Hawser, Directors.

Winchester Branch Bank—James Anderson, President; Lewis Grigsby, Charles C. Moore, Benjamin H. Buckner, James B. Barr, Willis Young, Henry T. Duncan, Howard Williams and Benjamin Straughan, Directors.

Lexington Branch Bank—Charles Humphreys, President; Thomas H. Pindell, David Megowan, Daniel M. C. Payne, James G. M'Kinney, Geo. Boswell, S. H. B. Clarkson, David Thompson and Elijah Craig, Directors.

Louisville Branch Bank—Wordea Pope, President; Daniel Smith, Philip R. Thompson, W. T. Spurrier, Loyd D. Addison, Abraham Field, John Roberts, Edward B. Miles and J. R. Stoke-man, Directors.

Princeton Branch Bank—Wm. S. Lander, President; Enoch Prince, Morton A. Rucker, Samuel Marshall, John M'Caughan, Joseph Watts, Samuel Woodson, William M. Terry and David S. Patton, Directors.

Greensburg Branch Bank—Peter B. Atwood, President; Elijah Creel, Joseph Brummel, John Little, Thomas W. Lisle, James Lastley, H. P. Saufley, Stephen T. Logan, Isaac Jackson, Asa Pitman and George T. Wood, Directors.

Hartford Branch Bank—Richard Elliott, President; Benjamin Smith, Charles Henderson, Samuel O. Peyton, Richard L. Walker, John Field, Jefferson Jennings, John Rogers, Willis Morgan, Joshua H. Davis and James Hillyer, Directors.

Bowling Green Branch Bank—Alexander Graham, President; Jacob Van Meter, John M. Briggs, Asher W. Graham, John Keel, David Caldwell, Thomas Hail, William Carson and Samuel Moore, Directors.

Mountsterling Branch Bank—Thos. C. Barnes, President; Levi Y. Millspaugh, Daniel Orear, Moses Grooms, Putnam Ewing, Samuel May, William Ward, Mason Williams and Jefferson Jouitt, Directors.

Harrodsburgh Branch Bank—B. Magoffin, President; David Sutton, C. Chinn, Jesse Head, Thomas E. West, Joseph Hopper, Joel Sweeney, Robert C. Palmer and Wm. Pawling, Directors.

Somerset Branch Bank—Wm. Fox, President; Charles Hays, Henry James, Bourne Goggin, Walden B. Gilmore, Augustin Hayden, James Terrill, Thales Huston, Benjamin Eve and John Chrisman, Directors.

Mr. Barlow, from the joint committee of enrollments, reported that the committee had examined an enrolled resolution, and bills of the following titles, and had found the same truly enrolled:

A resolution fixing on a day to elect Directors of the Bank of the Commonwealth of Kentucky, and Presidents and Directors to the Branch Banks of the Commonwealth.

An act to incorporate the Green and Barren River Navigation Company.

An act to provide for the erection of two bridges across Rockcastle river.

An act for the benefit of the Christian Academy.

An act for surveying and improving the State road from the mouth of Big Sandy to Lexington.

An act for the benefit of Thomas J. Wathen and Amelia Wathen.

An act for the benefit of Cumberland Hospital.

An act for the benefit of Gideon Granger.

An act for the benefit of the creditors and heirs of Thomas M'Kee, dec'd. and of the heirs of David Wilson, dec'd.

An act to authorize the county court of Green county so to regulate the constables' districts in said county, as to reduce the number to nine.

An act to authorize the sale of the seminary lands of Perry county.

An act for the purpose of having the Edmondson county line run from White's to Hunter's, and also to run the line between Edmondson and Barren.

An act for the benefit of Daniel Vaught and Polly Walter.

An act to authorize the insertion of certain advertisements in the Public Leger and Bardstown Herald.

An act to incorporate a company to build a bridge across Salt river, at the town of Taylorsville.

An act for the appropriation of money.

An act appropriating some of the vacant lands in Laurel and Knox counties to the improvement of a road.

An act allowing an additional justice of the peace to Allen county.

- An act for the benefit of Jarret Willingham.
- An act defining and declaring the true boundary line between the counties of Greenup and Lawrence.
- An act to amend the election laws of this State.
- An act to incorporate the Louisville mutual fire insurance company.
- An act further to regulate the Bank of Kentucky.
- An act to alter the time of holding the Hopkins county court.
- An act to curtail the power of the county court of Henry.
- An act for the benefit of Jesse Combs.
- An act for the benefit of the heirs of James Jennings, dec'd.
- An act to furnish certain officers with the Digest of the Statutes.
- An act for the relief of Robert C. Harrison and others.
- An act to amend the law in relation to opening and repairing the public roads in certain counties.
- An act to constitute a board of Internal Improvement for Shelby county.
- An act to authorize the Commonwealth to prosecute writs of error in certain cases.
- An act to alter the time of holding certain circuit courts.
- An act to provide for opening a State road from Frankfort, to intersect the State road from Lexington to Ghent, at or near Owenton.
- An act to alter the time of holding the Lewis circuit court.
- A resolution appropriating one of the rooms in the capitol to the use of the Secretary of State, for the purpose of preserving the public books and other public property in his office.
- An act further to regulate the Bank of the Commonwealth.
- An act for the benefit of the widow and heirs of Elias Cox, deceased.
- An act to remove the obstructions to the navigation of Rough Creek, Pond River and Trade Water.
- An act to provide for opening a road from New-Liberty, in Owen county, to Fredericksburg, in Gallatin county.
- An act further to regulate the Meade circuit court.
- A resolution offering a reward for the discovery of the cause, and a specific cure for the disease called the milk sickness.
- An act to incorporate a company to turnpike a road from Frankfort to Lexington, by way of Versailles.
- An act for the improvement of the road from Mountsterling by way of Irvine and Manchester, to intersect the wilderness State road.
- An act for the benefit of the devisees of John Faris, deceased, and Joshua Fry Lawrence.
- An act to authorize the insertion of advertisements in the Lancaster Journal, printed in Lancaster.
- An act for the benefit of James Morse.

An act to appropriate the fines and forfeitures of Hardin, Green and Campbell counties, to the use of their respective county seminaries, and for other purposes.

An act to incorporate certain turnpike road companies.

An act to enable the infant heirs of John Bruce, sen. deceased, to convey certain lands.

An act changing the place of voting in a precinct in Butler county, and to allow an additional justice of the peace and constable to Franklin county.

An act to authorize the copying of certain books in the surveyor's office of Clay county.

An act for the benefit of witnesses, clerks, sheriffs and other officers.

An act to establish an election precinct in Logan county, and for other purposes.

An act to establish an election precinct in Pendleton county.

An act for the benefit of the High school in Louisville, and the Male and Female Orphan Asylum at Middletown.

An act to invest the City of Louisville with the privilege of a separate representation, and for other purposes.

An act for the benefit of the heirs of James Frazier, dec'd.

An act for the benefit of Eaton Good.

An act concerning the court of appeals.

An act to amend and regulate the action of replevin.

An act to incorporate the trustees of the male and female orphan asylum at Middletown.

An act to change the time of holding the Jefferson circuit court.

An act concerning the Auditor's and Treasurer's offices, and for other purposes.

An act to encourage the general diffusion of education in this Commonwealth, by the establishment of a uniform system of public schools.

And an act to amend the charter of the City of Louisville.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Barlow inform the Senate thereof.

A message from the Governor by Mr. Crittenden, his Secretary:

Mr. Speaker—I am directed by the Governor, to inform this House, that the Governor has approved and signed enrolled bills which originated in this House, of the following titles:

An act for the benefit of Wm. Greathouse.

An act for the benefit of William Bartlett and others.

An act further to regulate the town of Pikeville in Pike county.

An act for the benefit of William M'Clain, deputy sheriff of Estill county.

An act requiring salt works to be enclosed.

An act for the benefit of Micajah V. Harrison, and for other purposes.

An act to change the tobacco inspection in the town of Eddyville.

An act to authorize the sheriff of Monroe county, to execute bond for the collection of the revenue tax and county levy of said county.

An act for the benefit of Francis Maraman and others.

An act for the purpose of opening a road from Bell's, in Barren county, to the cross roads near the Simpson county line, and the Tennessee State line.

An act for the benefit of the shareholders in the Louisville Insurance Company.

An act for the benefit of John L. Elliott.

An act for the benefit of Jane Wright Latty and Nancy Davis Latty.

An act appropriating certain vacant lands to the improvement of the public roads in the counties of Russell, Monroe, Allen and Cumberland.

An act allowing additional justices of the peace and constables to certain counties.

An act to provide for the erection of a bridge across Kentucky river, near the mouth of Benson.

An act for the benefit of Wayne, Russell and Fayette counties.

An act for the benefit of Polly Flowers.

An act for the benefit of Gabriel L. Bourland.

An act to change the time of holding the Edmondson and Barren county courts, and for other purposes.

An act to appropriate some of the vacant land in Casey and Wayne counties to improve the roads in said counties.

An act requiring the clerk of the court of appeals to deliver over certain records to the Register of the land office.

An act to amend the several acts incorporating the Louisville Turnpike Company, and for other purposes.

An act for the benefit of the heirs of Benjamin Mason, deceased.

An act for the benefit of the devisees of Benjamin Threlkeld and Plummer Thurston.

An act to amend the laws in relation to the trustees of towns, and for other purposes.

An act to amend the act entitled "an act to incorporate the Lexington and Frankfort turnpike or rail road company."

An act for the benefit of Thomas J. Wathen and Amelia Wathen.

An act for the benefit of the Christian Academy.

An act for surveying and improving the State road from the mouth of Big Sandy to Lexington.

An act to provide for the erection of two bridges across Rockcastle river.

An act for the benefit of Cumberland Hospital.

An act for the benefit of Gideon Granger.

An act for the benefit of the creditors and heirs of Thomas McKee, dec'd. and of the heirs of David Wilson, dec'd.

An act to authorize the county court of Green county so to regulate the constables' districts in said county, as to reduce the number to nine.

An act to authorize the sale of the seminary lands of Perry county.

A joint resolution fixing on a day to elect Directors of the Bank of the Commonwealth of Kentucky, and Presidents and Directors to the Branch Banks of the Commonwealth.

An act to incorporate a company to build a bridge across Salt river, at the town of Taylorsville.

An act for the purpose of having the Edmondson county line run from White's to Hunter's, and also to run the line between Edmondson and Barren.

An act for the benefit of Daniel Vaught and Polly Miller.

An act for the appropriation of money.

An act appropriating some of the vacant lands in Laurel and Knox counties to the improvement of a road.

An act allowing an additional justice of the peace to Allen county.

An act for the benefit of Jarret Willingham.

An act defining and declaring the true boundary line between the counties of Greenup and Lawrence.

An act to amend the election laws of this State.

An act to incorporate the Louisville mutual fire insurance company.

A joint resolution offering a reward for the discovery of the cause, and a specific cure for the disease called the milk sickness.

An act to incorporate certain turnpike road companies.

An act concerning the Auditor's and Treasurer's offices, and for other purposes.

An act to encourage the general diffusion of education in this Commonwealth, by the establishment of a uniform system of public schools.

An act for the benefit of witnesses, clerks, sheriffs and other officers.

An act to invest the City of Louisville with the privilege of a separate representation, and for other purposes.

An act to incorporate a company to turnpike a road from Frankfort to Lexington, by way of Versailles.

An act to incorporate the trustees of the Male and Female Orphan Asylum at Middletown.

An act concerning the court of appeals.

An act to amend and regulate the action of replevin.

An act for the benefit of Eaton Good.

An act for the benefit of the heirs of James Frazier, deceased.

An act for the benefit of the High school in Louisville, and the Male and Female Orphan Asylum at Middletown.

An act to appropriate the fines and forfeitures of Hardin, Green and Campbell counties, to the use of their respective county seminaries, and for other purposes.

An act to enable the infant heirs of John Bruce, sen. deceased, to convey certain lands.

An act changing the place of voting in a precinct in Butler county, and to allow an additional justice of the peace and constable to Franklin county.

An act to authorize the copying of certain books in the surveyor's office of Clay county.

An act to change the time of holding the Jefferson circuit court.

An act to amend the charter of the City of Louisville.

An act to establish an election precinct in Logan county, and for other purposes.

An act to establish an election precinct in Pendleton county.

An act for the improvement of the road from Mountsterling by way of Irvine and Manchester, to intersect the wilderness State road.

An act for the benefit of the devisees of John Faris, deceased, and Joshua Fry Lawrence.

An act for the benefit of James Morse.

An act to authorize the insertion of advertisements in the Lancaster Journal, a newspaper printed in Lancaster.

An act to constitute a board of Internal Improvement for Shelby county.

An act to incorporate the Green and Barren River Navigation Company, and for other purposes.

An act to authorize the insertion of certain advertisements in the Public Leger and Bardstown Herald.

Ordered, That the clerk inform the Senate thereof.

A message from the Senate by Mr. Pollard:

Mr. Speaker—The Senate have received official information, that the Governor has approved and signed enrolled bills which originated in the Senate of the following titles:

An act to extend the turnpike and wilderness road to the Crab Orchard.

An act to change the time of holding the Bullitt circuit court.

An act to authorize James G. Lindsey, of Campbell county, to remove his ferry.

An act to organize a fire company in the town of Augusta.

An act to add a part of Ohio to Daviess county.

An act to incorporate the Kentucky Hemp Manufacturing and Exporting Company.

An act to amend the law concerning slaves, and for other purposes.

An act to amend the law in relation to opening and repairing the public roads in certain counties.

An act to furnish certain officers with the Digest of the Statutes.

An act further to regulate the Bank of Kentucky.

An act to alter the time of holding the Hopkins county court.

An act for the benefit of the heirs of James Jennings, dec'd.

An act to curtail the power of the county court of Henry.

An act for the benefit of Jesse Combs.

An act to authorize the Commonwealth to prosecute writs of error in certain cases, and for other purposes.

An act to alter the time of holding the Lewis circuit court.

An act to alter the time of holding certain circuit courts.

An act to provide for opening a State road from Frankfort, to intersect the State road from Lexington to Ghent, at or near Owenton.

An act for the benefit of the widow and heirs of Elias Cox, deceased.

An act to remove the obstructions to the navigation of Rough Creek, Pond River and Trade Water.

An act to provide for opening a road from New-Liberty, in Owen county, to Fredericksburg, in Gallatin county.

An act further to regulate the Bank of the Commonwealth.

An act further to regulate the Meade circuit court.

The Speaker being absent from the House—Mr. Combs being in the chair, the following resolution was offered by Mr. Wright, and unanimously adopted, viz:

Resolved, That the thanks of this house be tendered to J. J. Crittenden, Esq. for the impartial, independent, and conciliatory manner in which he has discharged the duties of speaker, during the present session.

Ordered That a message be sent to the Senate, informing them that this House, having finished the legislative business before them, are now ready on their part, to close the present session of the General Assembly, by an adjournment without day; but are, nevertheless, disposed to remain in session until it shall suit the views, wishes and convenience of the Senate to adjourn also—that Messrs. Anderson, Jonas, J. Calhoun and Parker, be appointed a committee on the part of this House, to act in conjunction with such committee as may be appointed on the part of the Senate, to wait on his excellency, the Governor, and inform him of the intended adjournment of the General Assembly; and to know if he has any further communication to make; and that Mr. Anderson carry the said message.

A message from the Senate by Mr. Allen:

Mr. Speaker—I am directed to inform this House, that the Senate, having finished the legislative business before them, are now ready to adjourn without day; and have appointed a committee on their part, to wait on the Governor, and inform him that the legislature are now ready to adjourn without day, and to know if he has any further communication to make.

The said committee then retired, and after some time returned, when Mr. Anderson reported that the joint committee had performed the duty assigned them, and were informed by the Governor, that he had no further communication to make.

Whereupon the Speaker having delivered a congratulatory and valedictory address, adjourned the House, *sine die*.



NOTICE.

Owing to an omission of the Clerk in failing to furnish the copy, the documents accompanying the Governor's message, and which were to have been published in an appendix to this Journal, are necessarily and unavoidably excluded.

PUBLIC PRINTER.